THE FIRST RIGHT

SELF-DETERMINATION AND THE TRANSFORMATION OF INTERNATIONAL ORDER, 1941–2000

BRADLEY R. SIMPSON

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Contents

Acknowledgments ix

Introduction: One, Two, Three, Many Self-Determinations 1

1. The Global Purchase of Self-Determination 20
2. Defining Self-Determination 50
3. African Decolonization and Self-Determination 85
4. Economic Sovereignty and Self-Determination 117
5. Self-Determination in Very Small Places 148
6. Self-Determination Beyond Decolonization 180
7. Self-Determination in the Age of Globalization 215

Conclusion: Afterlives 239

Notes 247
Select Bibliography 313
Index 349

Acknowledgments

This book traveled a long and winding path from conceptualization to completion. I first began thinking about self-determination as a historical/political project more than twenty years ago, as I was writing my dissertation on US-Indonesian relations and grappling with contemporary debates over self-determination for West Papua and later East Timor. Some of these early thoughts appeared in my book *Economists with Guns* and in a series of articles I wrote in the 2000s on the Indonesian invasion of East Timor and the response of the international community. As many historians do, when on research for that book and what I thought would be my second book on the United States and Indonesia, I conducted research on the side, spending a few hours at the end of research trips looking for material on the history of self-determination claims and movements.

In 2010 Sam Moyn and Jan Eckel invited me to present at a conference in Freiburg, Germany, on the human rights "breakthrough" in the 1970s. I decided to pull together the various threads of research I had done to see if I could make a coherent argument about the meaning of self-determination at the seeming nadir of empire in the 1970s. I later published that essay in the journal *Humanity*. Soon after, Dirk Moses and Lasse Heerton invited me to write about the Nigerian civil war and the Biafran secession crisis for the *Journal of Genocide Research*, enabling me to explore some of the ideas at the heart of Chapter 3. Parts of this book have appeared in essay form in "The United States and the Curious Descent of Self-Determination," *Diplomatic History* 36, no. 4 (September 2012): 675–94; "Self-Determination, Human Rights, and the End of Empire in the 1970s," *Humanity: An International Journal of Human Rights, Humanitarianism, and Development* 4, no. 2 (Summer 2013): 239–60; "The Biafran War, Secession, and the Limits of Self-Determination," special issue of the *Journal of Genocide Research* 16, no. 2 (2014); "Self-Determination and the End of Empire," in Thomas Martin and Andrew Johnson, eds., *The Oxford Handbook of the Ends of Empire* (Oxford: Oxford University Press, 2018).

A book that purports to offer a global history of an idea like self-determination, or even one that makes global claims, is above all a work of

synthesis, building on the works of countless scholars in history, human rights, international law, political science, political theory, area studies, and Indigenous studies. I could not have otherwise written this book. I have also benefited from the generosity of colleagues such as Emma Kluge, Dirk Moses, David Vine, David Webster, Roland Burke, and others whom I have doubtless forgotten who graciously shared archival material and documents from their research. I am grateful for writing fellowships at the University of Melbourne (Barbara Keys), the UConn Humanities Institute, and the Woodrow Wilson Center for Scholars in Washington, DC, and for research and travel funding from the University of Connecticut.

In the past decade or so I have spoken at more places than I can count: UC Santa Barbara, Cal Poly San Luis Obispo, University of Freiburg, University of Chicago, University of Cologne, Cambridge University, New York University, Princeton University, Northwestern University, Stanford University, UC Berkeley, Harvard University, Yale University, Brown University, Columbia University, Dartmouth College, Ohio State University, Vanderbilt University, University of Ottawa, University of Connecticut, University of Melbourne, Duke University, University of Leiden, and University of Coimbra. I have benefited from the generous reading, questions, and discussion generated by these countless conversations.

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My son Elijah was born in 2008, shortly before I began this work. In 2016 he was diagnosed with DIPG, the rarest and deadliest pediatric brain cancer, and died the day after his ninth birthday in April 2017. This book is dedicated to him and to Genevieve.

Introduction

One, Two, Three, Many Self-Determinations

When the International Court of Justice (ICJ) issued an advisory opinion on the continued South African occupation of Namibia in 1971, it was the first time the right to self-determination was acknowledged as an overarching principle of international law. For over a decade the South West Africa People's Organisation (SWAPO) had been waging a liberation struggle against South Africa, which had previously controlled Namibia as a League of Nations mandate and had attempted to annex the territory in 1946. In 1966 SWAPO's armed wing, the People's Liberation Army of Namibia, began a guerrilla campaign against South African armed forces. This raised profound questions about the legitimacy of armed struggle in pursuit of the right to self-determination, which had been enshrined in the 1966 United Nations human rights covenants and in dozens of UN resolutions dating back to 1950 as the "first right" from which all other human rights were derived.[1]

The ICJ ruling traced the legal history of Namibia's right to self-determination, but in a separate opinion ICJ Vice President Faoud Ammoun offered a different genealogy, arguing that Namibia's claim was the same as anticolonial movements around the world. "One is bound to recognize that the right of peoples to self-determination," Ammoun wrote, "before being written into charters that were not granted but won in bitter struggle, had first been written painfully, with the blood of the peoples, in the finally awakened conscience of humanity. And without those same peoples, mainly of Asia and Africa, who since the Second World War have streamed into the new International Organization, would it have been possible to achieve that impressive number of declarations and resolutions whereby the great principles they had helped consecrate have been translated into law and applied to the reshaping of international relations?"[2] Though a jurist, Ammoun understood that self-determination was something that people imagined and seized. It was a principle of struggle as well

as law. Namibia's right to self-determination stemmed not just from the reasoning of diplomats and scholars but from the daily practice of ordinary people resisting colonial rule. It was achieved not just through force of arms but through education, organizing, and countless acts of solidarity.

Ammoun's insight is at the core of *The First Right*. The idea of self-determination is one of the most significant in modern international politics. For more than a century diplomats, lawyers, scholars, activists, and ordinary people in every part of the globe have wrestled with its meaning and implications for decolonization, human rights, sovereignty, and international order. Self-determination claims coursed through twentieth-century politics, as did debates over its limits. Transcending North-South and East-West divides, they encompassed politics, religion, economics, and culture. They also inspired real fears of the sort that one of the protagonists of Salman Rushdie's novel *Shalimar the Clown* warned of: "Kashmir for the Kashmiris, a moronic idea. This tiny, landlocked valley with barely five million people wanted to control its own fate. Where did that kind of thinking get you? If Kashmiris, why not also Assam for the Assamese, Nagaland for the Nagas? And why stop there? Why shouldn't towns or villages declare independence, or city streets, or even individual houses? Why not demand freedom for one's bedroom, or call one's toilet a republic? Why not stand still and draw a circle round your feet and name that Selfistan?"[3] Many people feared a world of such "selfistans," in which cascading self-determination claims birthed an anarchic international system of unviable mini-states. This fear thrived among reactionary opponents of self-determination as well as among many critics of empire. In the twenty-first century, scores of states, peoples, and movements have made self-determination claims calling for the creation of independent states or the reconfiguration of domestic sovereignty arrangements. In 2014 alone Scotland, Catalonia, Crimea, Eastern Ukraine, and Iraq's Kurdish people, among others, organized popular referenda on their political futures. These referenda were called forty years after the global process of decolonization with which self-determination is associated had sputtered to a close.

Until the last decade or so historians had produced few works on self-determination, and fewer still focused on the post–World War II era, a striking oversight considering the centrality of the idea to modern international relations and law.[4] The more than century-long debates over the meaning and reach of self-determination, historians increasingly recognize, illuminate enduring dynamics of the contemporary world. These include

the tensions between political, economic, and cultural sovereignty in the face of increasing global economic integration, between territorialized and nonterritorialized forms of identity and belonging, and between a state-based system of sovereignty and the nonstate sovereignty claims of countless movements and peoples across the globe. The persistence of self-determination claims and movements over the last century has raised a series of questions central to this project: Is self-determination a human right or a general principle? Who is the "self" to whom it applies? Does it implicate economic as well as political independence? Does it encompass the right to internal democratic participation? Does it include the right to secede from recognized states? How have local groups and movements articulated sovereignty and rights claims in terms of self-determination, and where did those local and global conceptions meet? How have internationalist, human rights, anticolonial, and religious organizations wrestled with the meaning of self-determination in pursuing their own work and in activities purportedly carried out on behalf of others? And what sort of fears or criticisms have expansive self-determination claims produced for those who saw more peril than promise in them?

The First Right makes a number of broad arguments in the hopes of answering some of these questions. It contends that the meaning of self-determination was never fixed; it has evolved over time and in the context of political, economic, and sometimes military struggle involving a wide variety of state and nonstate actors. There was no one self-determination, but a century-long contest between contending visions of sovereignty and rights that were as varied and changing as the nature of sovereignty itself. Both critics and advocates of self-determination have complained about its vagueness, legal imprecision, malleability, and adaptability. Its open-endedness and malleability, however, are precisely what made it appealing to such a staggering range of peoples and movements. The United States and other colonial powers, beginning in 1919, sought to contain self-determination within narrow bounds, first as a principle of popular self-government and later as a gradual process of decolonization leading in many cases to the creation of nation-states integrated into a Western-led global economy. During this same period peoples and movements sought to expand the reach of self-determination from below and from the margins of international politics to include economic sovereignty, cultural and religious rights, and the right to secede from established states, claims that would have been scarcely recognizable to those who debated its meaning in 1919. Self-determination, in

short, was a concept whose meanings shifted over time in response to the diverse claims and struggles carried out in its name, as well as to the shifting nature of international society and the world economy. It was also a means of reaching for and "doing sovereignty," as historian Tracey Banivanua Mar has argued, and not merely a legal term inscribing borders or political identity.[5]

The wide range of states, groups, and movements making self-determination claims in the twentieth century suggests that the concept must be analyzed at several different scales that in reality interacted with each other simultaneously. Most obviously, self-determination as an international project spawned institutions and created sites for political mobilization and contestation, producing important legal and political debates in international spaces such as the League of Nations Mandate Commission, the 1955 Bandung Conference, the UN General Assembly, and the UN Committee on Decolonization, among others.[6] National and local governments and movements also articulated self-determination claims in their own communities as they debated foreign policy, constitutions, citizenship, state structures, the rights of heterogeneous religious, ethnic, and linguistic groups, and national policies concerning resource extraction.[7] Self-determination claims are a form of local argument, entwined in imagined histories of people and nationhood. But they are also part of a global discourse whose meaning emerges out of countless local struggles. Writing in 1971 on Namibia's case before the ICJ, Fouad Ammoun observed that "the struggle of peoples in general has been one, if not indeed the primary factor in the formation of the customary rule whereby the right of peoples to self-determination is recognized."[8] Therefore it is essential to understand why participants in these struggles thought they would be successful by wielding self-determination claims against states, companies, and the international community. These claims accrued power as they circulated, which requires diving into the activities of transnational social movements, organizations, and individuals for whom self-determination functioned as a vernacular language of solidarity and social justice.[9] For example, what did Chilean political activists imagine the term to mean when they formed the Comité Chileno Pro-Autodeterminación de Argelia (Chilean Committee for the Self-Determination of Algeria) in 1956?[10] How did Indigenous peoples from Australia to the US Southwest imagine their own sovereignty claims vis a vis both local and global rights to Indigenous self-determination? What did self-determination mean to Pacific peoples scattered across vast archipelagos who did not aspire to independent statehood but nevertheless

sought to resist economic exploitation and military domination by colonial metropoles?

As self-determination has evolved, it can be understood as passing through five distinct phases, each connected to transformations in the international political system and world economy. Nineteenth- and early twentieth-century thinkers first began to conceptualize self-determination and to extend its logic to political collectivities defined in terms of territorial or national identity. During and after World War I, the US and Bolshevik embrace of competing visions of self-determination helped to internationalize it as a language of anticolonial struggle. In the aftermath of the war diplomats, legal scholars, and later League of Nation officials attempted to define self-determination as a practice and not just an idea, one that could guide its internationalized system of imperial governance in mandate territories. World War II and creation of the United Nations marked a third phase of self-determination. The rise of Nazism and the perceived failures of the interwar period had delegitimized the idea of national self-determination leading to the creation of small ethnically defined states. In order to serve as a useful principle for decolonization it would have to be rehabilitated and reinvented as a right not of "nations" but of heterogeneous "peoples." It would also require institutionalization within the machinery of UN General Assembly and constituent committees that would oversee the decolonization process at the high tide of the territorialization of the nation-state. A fourth phase began in the mid-1970s, as the UN-sponsored process of decolonization began to wind down. This coincided with the collapse of the Bretton Woods system, which ushered in a new era of globalization and a human rights revolution that helped to spur a gradual shift toward an increased focus on internal democracy, individual rights, and demands for substate sovereignty, especially by Indigenous peoples. The last phase, which arguably began with the fall of the Soviet Union after 1989 and which continues to the present, produced calls for reimagining self-determination beyond decolonization and Westphalian state-making. Historians have mostly focused on the period from 1919 to 1975, treating self-determination as a proxy for anti-imperialism and decolonization, after which the story ends, apart from lingering issues in places like Palestine, Western Sahara, or Kurdistan. But consigning it to the era of decolonization alone obscures more than it reveals.

Self-determination emerged at a time when the meaning of sovereignty and the international system were "highly fluid and populated by a diverse array of polity forms (for example, empires, semi-sovereign polities,

protectorates and chartered companies) beside the sovereign nation state."[11] The French empire in the twentieth century, for example, was a crazy quilt of colonies, protectorates, League of Nations mandates, and semiautonomous associated territories, each exercising varying degrees of political and economic sovereignty. The US empire in 1945 consisted of colonies, associated territories, mandates, and the newly invented category of "strategic trust territory," for which US officials envisioned dramatically different political futures. Anticolonial nationalists and their supporters likewise envisioned many possible configurations of sovereignty, by no means confined to the independent nation-state that was the presumed outcome of the UN-sponsored process of decolonization. Many ethnic, regional, religious, linguistic, or Indigenous minorities within the colonies imagined their own possible futures beyond (or beneath) the state, but they did so from the peripheries of international law, lacking the status of formal colonies, mandates and other presumed states-in-waiting.[12] For them the legal principle of *uti possidetis*, that the boundaries of colonies should be preserved in the transition to independence, often marked a closure, rather than a realization of their political aspirations.[13] Sovereignty, like self-determination, can be understood as "a set of claims and counterclaims" between contending forces seeking to widen or narrow its scope on an ongoing basis.[14]

At no point in the twentieth century did the architects of global governance imagine that realization of the principle, and later right, of self-determination would result in all dependent peoples living in independent states. Instead, they imagined an international political system of permanently uneven, partial, and layered sovereignty, in which full statehood was one possible outcome alongside annexation, association, protection, and other political forms. This was especially true for peoples, territories, and movements considered too small, backward, primitive, or strategic to merit independence, even when they had the "right" to self-determination and met the criteria for decolonization established by the United Nations. Such places played a crucial role in delimiting the imagined outer reaches of sovereignty and self-determination. While a handful later emerged as independent states, others "attracted new labels with imprecise definitions such as 'overseas collectivities,' 'special administrative regions,' 'constituent countries,' 'autonomous collectivities,' and 'associated states.'" Many understood modern statehood as an imperfect fit for their political aspirations.[15]

Though they may have been marginal in terms of their size, populations, resource endowments, and military capabilities, tiny peoples and territories

generated outsized fears, especially as decolonization accelerated after 1945. In the 1960s and 1970s, Indigenous communities in the United States, Canada, Australia, Finland, Brazil, and other countries also began mobilizing in the name of self-determination to demand political, economic, and cultural sovereignty. In doing so they revived practices of Indigenous petition and lawmaking rarely imagined by the founding members of the United Nations. Such claims often challenged the legal and political prerogatives of multinational corporations and the existing framework of the global economy. When anticolonial movements or postcolonial states insisted that self-determination encompassed economic sovereignty and control by states over their natural resources, or when Latin American states nationalized foreign mining and extractive firms in the 1970s, they challenged the foundations of a Western-dominated global order premised on the separation of political from economic sovereignty.

Discussions of self-determination globally always operated at multiple levels. Even if much of the diplomatic and legal action seemed to take place in New York or Geneva, definitions and decisions did not simply trickle down from debates at the United Nations. Nonstate actors, networks, and movements were crucial conduits for the transnational circulation of expansive self-determination claims.[16] Novel imaginings of self-determination percolated up or circulated horizontally, emerging from the daily practice of social and political movements from Samoa to South Africa that sought to mobilize supporters, lobby governments and international institutions, petition the UN Trusteeship Council, frame possible futures, connect people to each other, and bind local to global struggles.[17] Contending sides in both the Biafran secession crisis and the antiapartheid struggle, for example, tried to mobilize supporters in many different countries under the banner of self-determination, conscious of both its moral power and its malleability across ideological and geographic divides.[18]

Acknowledging the crucial role of nonstate movements in circulating expansive self-determination claims means paying close attention to diplomats, political leaders, lawyers, scholars, activists, nongovernmental organizations (NGOs), and ordinary people who attempted to enact self-determination from the margins and to expand its meaning in places like Samoa, West Papua, Western Sahara, and tribal reservations in the United States. If they tested the limits of self-determination by making ever more expansive rights and sovereignty claims, the colonial powers, large heterogeneous states, and even the first generation of human rights organizations

fought just as fiercely to contain its meaning within narrow bounds. For them, the principle implied internal self-government rather than collective emancipation, and political rather than economic and cultural sovereignty. It implied independence for most of Europe's former colonies but did not mean full decolonization and the emergence of nation-states for all peoples, especially those considered too small, primitive, or backward to fully enjoy it. It did not mean noninterference in the internal affairs of smaller, weaker countries. And above all, it did not mean secession from established states.[19] From their perspective, self-determination was a counterrevolutionary discourse that could delay and channel the aspirations of insurgent movements and peoples along lines compatible with an emerging world order of layered political and economic sovereignty. In this respect, as historian Jörg Fisch observes, "The history of the right of self-determination is the history of its restriction."[20]

Debates over self-determination's scope and limits generated a persistent set of critiques. Beginning in the aftermath of World War I, critics argued that self-determination was a right, not a principle; that no one could define "peoples," "nations," or "self" with any precision; and that self-determination carried to its logical conclusion would lead to the proliferation of small, unviable states and the unraveling of international order. They saw self-determination as a discourse that necessarily created communities of inclusion and exclusion, often by force. Critics were particularly troubled by economic self-determination claims, which raised the hoary specter of economic nationalism and autarchy, challenged the prerogatives of private capital, and threatened the foundations of a world order premised on the limited economic autonomy of states, especially smaller, weaker ones.[21] The rise of Nazism, and fascism more generally, also pointed to the dangers posed by reactionary visions of self-determination grounded in exclusionary sovereignty and the violent imposition of identity.[22] By the time US President Franklin Roosevelt and British Prime Minister Winston Churchill met in August 1941 to declare the Atlantic Charter, many of these fears had hardened into dogma.

Self-Determination's Contested History

In the search for origins historians have traced ideas about self-determination to the French Declaration of the Rights of Man, the US Declaration of Independence, nineteenth-century Latin American

state-formation, and debates among nineteenth-century Marxists, social democrats, and labor internationalists. Historian Eric Weitz emphasizes the work of German philosopher Johann Gottlieb Fichte, who framed *selbstbestimmung* as "the individual exercising reason, constituting himself, and coming into freedom." But Fichte also understood that the individual could only exercise such freedom in the context of socially constitutive communities. He wrote amid the stirrings of European nationalism and state-building from which ideas about self-determination would draw much of their early power.[23]

Mark Mazower and others have identified the nineteenth-century Italian political agitator and intellectual Giuseppe Mazzini as the foremost theorist of the modern idea of self-determination.[24] In an astonishingly prolific career as a writer and propagandist, he argued, as the editors of a recent collection of his writings note, that self-determination "would best be realized in the context of independent and democratically governed nation-states." Among other insights, he foresaw the emerging system of European nation-states as territorially defined and bound by common language, religion, culture, and identity. The sovereignty of these new nation-states would also be conditioned by the emerging reality "that Europe and indeed our entire planet is a vast common market," in other words, the workings of the world economy. He also suggested that transnational movements were a crucial force for disseminating "the principles of national freedom and progress" and promoting understanding and solidarity "among the peoples of different countries."[25]

Late nineteenth- and early twentieth-century Marxists and social democrats expanded upon these ideas and extended them to the colonized world, while engaging in fierce debates about the relationship between nation-state formation, global capitalism, and the liberation of colonized peoples. Vladimir Lenin argued that the nation-state was the effective building block of international society and the precondition for the emergence of capitalist social relations. For Lenin "The multi-national state represents backwardness," and "self-determination of nations" meant "political self-determination, state independence, and the formation of a national state," a position enshrined in the Bolshevik political program in 1903. Lenin argued that this right extended to colonized peoples as well as Russia's own subject nationalities, and included in theory the right to secession via plebiscite or revolution, a position Stalin endorsed in his 1913 treatise *Marxism and the National Question*.[26] Like most of his contemporaries, Lenin believed that

nations-states must be large in order to survive, and he insisted that "the masses know perfectly well…the advantages of a big market and a big state."[27] Rosa Luxemburg, on the other hand, criticized both Leninist and liberal theories of self-determination as a "false promise" that delivered the political form of sovereignty while ignoring its economic embeddedness. "So long as capitalist states exist," Luxemburg wrote in 1914, "so long as imperialistic world policies determine and regulate the inner and the outer life of the nation, there can be no 'national self-determination' either in war or in peace."[28] Luxemburg anticipated what would later be called an anticolonial critique of self-determination that acknowledged the intimate connections between political and economic sovereignty and the limits of both in an imperial-dominated interstate system and capitalist world economy.

Until the outbreak of World War I, debates about the scope and meaning of self-determination remained an abstraction outside the European Left, much of which had little direct contact with anticolonial movements overseas. It had no grounding in international law and no purchase in international institutions. The Bolshevik embrace of self-determination as a universal right for all peoples fundamentally changed this dynamic, transforming the global politics of the war and the looming peace. Warring armies and social collapse had uprooted millions across Europe. Both the Central and Allied powers had conscripted millions of colonial subjects, and anticolonial movements everywhere were mobilizing amid the war's dislocation to demand radical reform of colonial rule or outright independence. When Woodrow Wilson finally identified self-determination as among the Allied war aims in February 1918, he did so as a defensive measure to slow this momentum. Wilson and his interlocutors, especially US Secretary of State Robert Lansing, framed self-determination in narrow terms as political self-government rather than colonial emancipation. They assumed capitalist social relations and excluded from their purview "races, peoples, or communities whose state of barbarism or ignorance" made them unfit to rule themselves. British and French officials joined their US counterparts in seeking to narrow and contain self-determination's meaning, ignoring the pleas and petitions of anticolonial representatives who gathered in Paris for the Versailles Conference or who protested in colonial capitals from North Africa to Southeast Asia.[29]

Many anticolonial movements and thinkers imagined self-determination far more capaciously than either Wilson or Lenin, whose understanding derived almost entirely from their understanding of European and US

domestic politics. Whole regions of the world with their own long legal and intellectual conceptions of self-determination, such as Latin America, escaped these leaders' gaze entirely. Anticolonial activists took advantage of newspapers, the telegraph, and other communications technologies to circulate their more expansive self-determination claims in vernacular languages that would reach audiences scattered across the globe.[30]

The postwar settlement and the dismantling of the Hapsburg and Ottoman empires led to the creation of new nation-states in Southern Europe whose fate would shape future debates over the promise and peril of national self-determination, especially for small states.[31] The Allied powers defined these new nations primarily along lines of race and ethnicity and were suspicious that more heterogeneous polities would be a threat to regional stability. They justified forced population removal and the reshuffling of peoples on a mass scale in an attempt to create more ethnically homogeneous nation-states.[32] Where this was not possible they invented the novel legal category of the ethnic or racial "minority" and insisted that newly independent states sign treaties guaranteeing their rights, providing warrant for oversight and intervention in the internal affairs of nominally independent new states.[33] Decolonizing states after 1945, many of them facing internal secessionist movements, saw talk of minority rights as a stalking horse for the fragmentation of multiethnic polities, and minority self-determination claims as a neocolonial plot. They sought to remove minority protections from the Universal Declaration of Human Rights and other UN instruments, arguing that postcolonial constitutions could guarantee internal self-determination and adequately protect minority group rights.[34]

The new USSR embraced these new nations and the principle of self-determination, albeit unevenly. It acknowledged the right to secession of some of its constituent states in the treaties binding them to the Soviet Union and in 1920 even recognized the secession of Latvia, Lithuania, and Estonia from the Russian empire. At least in theory, Stalin also acknowledged the right of various nationalities within the Soviet Union to cultural self-determination through linguistic, educational, and religious autonomy.[35] Early Soviet jurists such as Evgeny Korovin, however, did not consider self-determination a "purely legal" right but rather one "necessary to the real interests of a socialist Russia."[36] Soviet legal theorist Grigory Tunkin argued that the nations that chose to join the Soviet Union had permanently exercised their right to self-determination, rendering exit a betrayal of the higher good of socialist brotherhood.[37]

There were also those former German and Ottoman territories in Africa, the Middle East, and Pacific whose inhabitants were, in South African General Jan Smuts's infamous words, "inhabited by barbarians, who not only cannot possibly govern themselves but to whom it would be impracticable to apply any ideal of political self-determination." The League of Nations designated these territories as mandates, to be governed on behalf of the international community by Britain, France, Belgium, Japan, New Zealand, Australia, and South Africa, ostensibly in the interests of their inhabitants but in practice as an extension of the colonial order. The mandates system established a new regime of global governance and layered sovereignty that domesticated and contained demands for political self-determination by Syrians, Samoans, Palestinians, and Iraqis, among others, while preserving many of the economic prerogatives of imperial rule. Thus, Mandate Iraq could emerge into independence still firmly under informal British dominance, providing a template for the narrow great power conception of self-determination after 1945. At the same time, the League of Nations internationalized the politics of imperial rule. The Mandates Commission emerged as a crucial site where colonized and subject peoples could utilize the petition process to catalog their grievances and insist on a more rapid transition to genuine political and economic self-rule.[38]

This was not just a moment of political reimagining in the colonies. Basque and Catalan nationalists internationalized their struggles for political autonomy or independence from France and Spain by petitioning Allied officials, demanding plebiscites on their political future, and mobilizing supporters in other League member states.[39] Indigenous peoples in the United States, Australia, Canada, and New Zealand who had long petitioned local governments for redress of their grievances turned to the League of Nations as well, identifying themselves as nations under international law and demanding acknowledgment of their sovereignty. And women's suffrage and peace organizations like the Women's International League for Peace and Freedom "identified themselves with nations desiring and deserving recognition and the right of 'self-determination.'" They saw the vote for women as an essential part of the democratic self-rule to which nations were entitled in the postwar order.[40] This liberal conception of self-determination as internal self-rule was inseparable from the dramatic expansion of mass democracy in many parts of the world after 1919, especially extension of the franchise to women.

Though self-determination still lacked standing in international law, or even a widely agreed upon definition, an ever-widening range of self-described nations, movements, and organizations made sovereignty and rights claims in its name. These include pan-Islamic organizations, Jewish internationalists and interwar Zionists, pan-racial movements such as Marcus Garvey's United Negro Improvement Association, petitioners before the League of Nations Mandate Commission, and African Americans demanding "Negro self-determination" in the US South.[41] The Third International, Socialist International, and the League Against Imperialism all embraced the orthodox Leninist position equating self-determination with an end to colonialism and the emergence of nation-states.[42] Like Wilson and Lenin, the socialists, communists, anarchists, and anticolonial activists who comprised these movements were mostly silent on what post-colonial economic sovereignty might look like. But they helped to vernacularize the idea of self-determination as liberation from colonial rule through bottom-up activism, aided by "the transnational circulation of activists, texts, ideas, and imaginings via steamships, telegraph, and print."[43]

Advocates of pan-religious or pan-racial identity had already begun thinking beyond the nation-state as the basis of anticolonial struggle and self-determination claims. Young Turk intellectuals like Celal Nuri and Reşit Saffet embraced self-determination as a political idea and viewed their goals as compatible with those of other anti-imperialist movements. But they rightly viewed Wilson's and Lenin's emphasis on the creation of ethnically homogeneous nation-states as a threat to post-Ottoman Turkey, whose citizenry included ethnic Turks, Kurds, Greeks, and Persians, the latter of which were advancing their own separate claims to national self-determination and statehood. Instead, Ottoman-era officials and Islamic intellectuals saw religious identity as a basis for anticolonial mobilization. Japanese intellectuals would similarly propose a Japan-centered pan-Asianism as an ideological framework for resisting Western colonialism.[44]

Some of the most consequential and illuminating contests in the 1930s over the scope and meaning of self-determination unfolded in South Asia, where the Indian Congress Party, the All-India Muslim League, and other parties engaged in heated debates over the direction of the "swaraj," or self-rule movement and the future form of a postindependence India. At the Versailles Peace Conference in 1919, Indian nationalists seeking "to internationalize the Indian struggle" embraced the principle of self-determination to describe their own demands, only to face dismissal at

Versailles and massacre at Amritsar. A few months later, Mahatma Gandhi and the Indian National Congress launched their campaign of noncooperation against British rule.[45] For the next two and a half decades, the various streams of Indian nationalism—Hindu, Muslim, Sikh, moderate, and militant—embraced political and economic self-determination as the broad goal of struggle, even as they diverged along tactical and ideological lines around the questions of minority rights and whether India should become a unitary or federal state. These fault lines widened after the British Parliament passed the Government of India Act of 1935, which increased local autonomy, introduced direct elections, and paved way the for the establishment of a federal state with Dominion status.[46]

The Congress Party rejected federalism as a solution to the minority question and insisted on a unitary Indian state governed by majority rule. Mohammed Jinnah's All-India Muslim League believed federalism was an insufficient guarantee of minority rights in a Hindu-dominated state. Jinnah argued that there was no "Indian" nation, but rather two separate nations defined along religious lines, each entitled to equal representation and parity, either within a federal system or through the creation of separate sovereign states.[47] The "two-nation theory" posed a novel answer to the question "self-determination for whom?"[48] Jinnah's vision of Muslim self-determination diverged from its Wilsonian predecessor by positing religion rather than ethnicity as the basis of nationhood and rejecting political pluralism and democracy as a vehicle for protecting minority interests. In doing so the Indian leader anticipated religious, ethnic, regional, and Indigenous minorities' long-term critique that electoral democracy was an inadequate vehicle for realizing their self-determination claims.

The eruption of war in Asia and Europe widened the gulf between these contending visions of India's future. The *Times of India* urged Gandhi, Jawaharlal Nehru, and other leaders to explicitly guarantee Muslim and other minority rights and cautioned that India now faced a choice between "constitutional self-determination" and "self-extermination."[49] The Muslim League threw down the gauntlet in March 1940 when it passed the Lahore Resolution, which formally called for the creation of "autonomous and sovereign" Muslim states in northwest and eastern India "for the protection of their religious, cultural, economic, political, administrative and other rights."[50] The Lahore Resolution marked an important but not inexorable step on the road to partition and the creation of Pakistan. It also sparked a very public and often bitter dialogue between Gandhi, Jinnah, the lawyer

and Dalit advocate B. R. Ambedkar, and others over the scope and meaning of self-determination.[51]

Gandhi argued that the question of internal representation could be resolved after independence, though he conceded that "the Muslims have the same right of self-determination that the rest of India has."[52] He flatly opposed the two-nation solution, however, and insisted on the protection of minority rights within a representative, democratic constitution as an adequate concession to Muslim concerns. But the Congress Party was itself divided. On Gandhi's right, Hindu communalists saw the two-nation theory as a justification for a Hindu-dominated state and rejected the legitimacy of demands for minority protection for Muslims, Sikhs, or others. Jinnah was unmoved by Gandhi's assurances, and over the course of the war he hardened his stance.[53]

The two-nation theory radically simplified the mind-boggling ethnic, linguistic, religious, and cultural diversity of India, and Ambedkar (who would go on to write India's constitution) criticized both Hindu and Muslim advocates for seeking to claim for themselves what they would deny to other ethnic, religious, or caste minorities. "The Hindus and the Muslims do not understand what self-determination means," he wrote in 1941, "or are busy in perverting [it] to enable them to justify themselves in carrying out the organized territorial loot in which they now seem to be engaged. India will be thrown into a state of utter confusion if people have no exact notions as to what self-determination involves and have not the honesty to stand by the principle and take the consequences whatever they be."[54]

Ambedkar was right in one sense. In 1941 the world was at war and no one could offer a precise definition of self-determination even as millions were making demands in its name. Its meaning would evolve out of contests over the countless claims made by movements, political parties, statesmen, scholars, and ordinary people around the world. This, then, is where this book begins. When Franklin Roosevelt and Winston Churchill proclaimed the Atlantic Charter in August 1941, the first chapter argues, anticolonial activists once again seized upon the Charter's promises of self-rule to lend legitimacy and a global vocabulary to their ongoing struggles. As the war shattered colonial empires around the world, debates about the meaning and scope of self-determination, as well as its potential danger, unfolded with dramatic speed. The global attention focused on the Charter accelerated the process begun by the war itself, in which protagonists on all sides of this global conflict began to debate the contours of the postwar order and the forms of economic and

political sovereignty they hoped it would produce. These debates culminated with the formation of the United Nations in 1945, the drafting of the Universal Declaration of Human Rights (UDHR) in 1948, and the first wave of decolonization in the Middle East, India, and Southeast Asia. During the protracted struggle over the meaning of human rights, minority rights, decolonization, and sovereignty in the period from the Atlantic Charter to the signing of the UDHR, self-determination served as a vernacular language of struggle. Mid-century human rights organizations, however, often fought against acknowledgment of self-determination as a human right, viewing the claims made in its name as a threat to their own, narrower project.

In the aftermath of war, anticolonial movements everywhere began to loudly demand self-determination. But what forms would it take? And on whose terms? The decolonization of two of the world's most populous, multiethnic states—India and Indonesia—between 1947 and 1949 suggests that the questions did not have easy answers. Residents of some of the outer islands of the Netherlands East Indies and participants in the Darul Islam movement, for example, chafed at the prospect of becoming part of a large, multiethnic state dominated by Java, and viewed proposed federalist schemes as a trap. The UDHR did not resolve these debates over the meaning and reach of self-determination, partly because it did not define the principle as a human right. Self-determination's meaning, Chapter 2 demonstrates, would instead emerge over time: in the context of UN General Assembly meetings; in the petition and investigation process of the Trusteeship Council; in debates in the new Commission on Human Rights; from anticolonial struggles being waged in its name; through the transnational activism of anticolonial, human rights, and solidarity organizations; and through the efforts of ethnic, religious, and regional minorities in decolonizing territories to claim a right to self-determination for themselves against decolonizing and newly independent states. The United States maintained a blinkered vision. The determination of President Harry Truman to wield military dominance through a worldwide network of military bases produced a global political system with hundreds of zones of semi-sovereignty where self-determination was a chimera. Over the course of the next decade the United States, Britain, France, Belgium, the Netherlands, and other colonial powers would wage a fierce, multifront battle in their colonial territories as well as at the United Nations to deny the far more capacious understanding of self-determination advanced by anticolonial movements and their supporters.

The next three chapters explore the dilemmas that often contradictory claims to self-determination posed for the international system. Chapter 3 centers on decolonization and national liberation movements in Africa, focusing on decolonization of the Sudan, the Biafran secession crisis, and the competing self-determination claims of the African National Congress and the apartheid government of South Africa. Each raised profound questions about the nature of decolonization, the legitimacy of secession and armed struggle, and the meaning of postcolonial sovereignty. Even as anticolonial leaders in Gold Coast, Sudan, Nigeria, French Togoland, Ivory Coast, and other territories deployed self-determination claims against colonial administrators, "minority" groups within them made similar demands for political, economic, or cultural sovereignty, whether for democratic rights within postcolonial states or, more explosively, as secessionist movements demanding independence from them.

In the Sudan, regional, religious, political, and developmental divisions between north and south and over its relationship with Egypt sparked bitter debates over the meaning of Sudanese national identity. These debates extended to whether the territory should remain under an Anglo-Egyptian condominium or emerge from colonial rule, and then whether as one state or two. When independence was achieved in 1956, it failed to resolve these contending claims and instead sparked a civil war that would continue for the next half-century. White minority rule in southern Africa posed an entirely different set of self-determination dilemmas. In South Africa and Rhodesia Black majorities framed their self-determination claims primarily along internal lines, demanding democratic self-government rather than national independence. South Africa's white minority government advanced an alternate theory of self-determination, ostensibly Wilsonian in inspiration, which defined the nation along racial lines and portrayed the creation of nominally independent homelands, and apartheid more generally, as a means of safeguarding both Afrikaner and Black rights in a racially diverse land. The Nigerian civil war prompted wide-ranging discussion in international forums, among Western governments and among social scientists and political activists over the meaning of genocide, the legitimacy of secession, the definition of state viability, and the limits of self-determination when it threatened the territorial integrity of postcolonial states.

As many Latin American governments had long argued, the achievement of political independence did not guarantee full sovereignty, especially in the face of overwhelming British and US economic power. Many states and

movements, Chapter 4 demonstrates, urged recognition of a right to economic self-determination, claims central to many post-1945 debates about the scope and nature of sovereignty, especially in the decolonizing world. These demands underscored the tensions between the prerogatives of nation-states and the pressures of an increasingly integrated world economy, accelerating with uneven speed in different parts of the world. They took many forms, including calls for permanent sovereignty over natural resources, "community self-determination" in urban areas of the United States, and for the creation of a new international economic order.[55] Just as a generation of postcolonial leaders, lawyers, and planners determined to claim economic self-determination as a human right, Western governments, corporations, legal scholars, and observers rejected the notion that any such right existed. Even as they grudgingly accommodated the principle of political self-determination for most non-self-governing peoples, the United States and other great powers and the firms headquartered in them sought to limit the economic sovereignty of poor and newly independent states over their own resources and to emphasize the rights of private property and capital.

By the early 1970s the United Nations and many of its member states had recognized a broad right to political self-determination, especially in the context of decolonization. But the limits of this right remained fluid and contested. Chapter 5 examines those places that seemed beyond self-determination's reach: the non-self-governing and trust territories of the Indian and Pacific Oceans; nationalist movements among nonstate peoples such as the Kurds, and territories such as West Papua, East Timor, and Western Sahara. These peoples and places were considered too small, too underdeveloped, too primitive, or, in the case of US military bases, too strategic to merit self-determination, much less independence. These marginal places challenge the widespread assertion that the independent nation-state was everywhere the goal of the decolonization process. Collectively, they show how the boundaries of sovereignty in the international system profoundly affected the lives of millions of people at a time when self-determination's legitimacy was at its height.

Self-determination claims and movements always reached beyond the dynamics of decolonization and the Cold War system. Some scholars have argued that the mid- to late 1970s marked the fall of self-determination, as the revolutionary energy and radical visions of anticolonial leaders like Michael Manley and the movement for a new international economic order

collided with an emerging neoliberal reality. But self-determination was not synonymous with decolonization. By the 1970s the United States and other advanced industrial countries faced self-determination claims of their own, voiced by racial minorities, students, women, gay and lesbian activists, and most importantly Indigenous peoples. Though rooted in local concerns, many of these movements connected their demands to broader currents of decolonization and radical Third World politics. Indigenous movements, in particular, ingeniously used domestic and international law as well as popular mobilization to force long-established states to renegotiate sovereignty arrangements with many of their own citizens and invent wholly new categories of international rights.

As decolonization drew to its near completion in the 1980s, self-determination movements and claims continued to proliferate, as Chapter 7 shows. If anticolonial activists led the way in in the 1960s and 1970s, a decade later Indigenous peoples, East European dissidents, "unrepresented peoples," opponents of US intervention in Central America, antiapartheid activists, regional autonomy movements in Europe and North America, the Soviet successor states, international lawyers, and many others carried forward the work of circulating novel and expansive self-determination claims. Their efforts were deeply connected to the recognition that economic globalization was changing the meaning of sovereignty, which demanded new understandings of self-determination.

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The Global Purchase of Self-Determination

In July 1940, representatives from the United States and twenty Pan-American nations gathered in Havana, Cuba, to discuss the implications of the European war for hemispheric security. The Nazi conquest of Western Europe had left French, Dutch, Danish, and British colonies in the hemisphere virtually unprotected. The United States proposed placing European colonies in Central America and the Caribbean under regional trusteeship until war's end, at which point they should "have the right freely to determine their own destinies, be organized as autonomous states if it shall appear that they are able to constitute and maintain themselves in such condition, or be restored to their previous status."[1] The proposal outraged supporters of Pan-Americanism like Argentina, which called for a resolution reaffirming international law and self-determination for European colonies and repudiating military intervention in the hemisphere. "To establish a mandate over the present European colonies without consulting them," Argentina's delegate insisted, "without giving them the chance of self-determination, amounts to calling these people incapable."[2]

Though European colonies were not consulted, a transnational network of anticolonial activists stretching from the Caribbean to London to Harlem seized upon the Havana Conference to press their case for an end to colonial rule in the hemisphere. Two Jamaican expatriates living in New York, Wilfred Domingo and Richard Moore, formed the West Indies National Emergency Committee (WINEC), which held a mass meeting where four thousand attendees voiced their "insistent demand for self-determination and self-government" for the West Indies.[3] The committee sent a delegation to Havana, hoping "to take advantage of the contradictions existing between the various imperial nations and between Latin-Americans and North Americans."[4] For the previous two years Domingo and Moore had been working with the International African Service Bureau, a Pan-Africanist organization founded by the anticolonial journalist George Padmore,

C. L. R. James, and other Caribbean labor and political activists who supported "the demands of Africans and other colonial people for democratic rights, civil liberties, and self-determination."[5] The WINEC "besieged" the British government, which in 1938 had established a royal commission to investigate conditions in the West Indies. It demanded political self-determination, universal adult suffrage, and the direct election of MPs. At Havana the WINEC issued a Declaration of Rights of the Caribbean People to Self-Determination and Self-Government, arguing that "this grave crisis in world affairs only raises more sharply the basic question of self-determination and self-government which had already been raised by the peoples of these territories."[6] When the wartime crisis was over, they would press these questions with even greater urgency.

The Pan-American conference took place a year before US President Franklin Roosevelt and British Prime Minister Winston Churchill issued the Atlantic Charter, the wartime declaration of Allied war aims. The Atlantic Charter did not introduce, or reintroduce for that matter, the language of self-determination in international politics, either as a principle or a claimed right. Myriad groups in both the British and US empires had deployed such claims for years on behalf of Puerto Rico, Indigenous Americans, African Americans, West Indian and Indian colonial subjects, Ethiopian victims of Italian aggression, and countless others.[7] Instead, its novelty was to place self-government at the core of Allied war aims, creating a highly visible space for subject peoples around the world to measure the conduct of the Allied powers and the gulf between their lofty rhetoric and imperial practice. By the summer of 1941, debates about the meaning and scope of self-determination, as well as its potential danger, were unfolding with dramatic speed in many parts of the world. These debates revealed self-determination to be an enormously contested idea that could be appropriated, however cynically, for wildly different ends, from decolonization to pan-Asianism and pan-Islamism, from the creation of a Black-belt state in the southern United States to a continent-straddling German empire.

Most of the world viewed the Atlantic Charter not primarily as a human rights instrument but as a promise of self-determination for its subject peoples.[8] The Charter's stirring acknowledgment of the right to self-government, however, conflicted not only with imperial practice but also with the postwar plans of the colonial powers for a world of limited self-rule rather than independence. It also conflicted with the ambitious US commitment to an open world economy in which all nations, great and small,

would have equal access to the resources of the decolonizing world. The global attention focused on the Charter, this chapter argues, accelerated the process begun by the war itself, in which protagonists on all sides of this global conflict began to debate the contours of the postwar order and the forms of economic and political sovereignty they hoped it would produce. These debates culminated with the formation of the United Nations in 1945, the drafting of the Universal Declaration of Human Rights in 1948, and the first wave of decolonization in the Middle East, India, and Southeast Asia.

Raising the specter of self-determination was one thing; defining it was another. As the Nazi and Japanese conquest of Europe and Asia shattered the old colonial order, Western journalists, government officials, and social scientists turned with increasing alacrity and sometimes foreboding to this task. As they theorized self-determination as a political and legal construct, they looked to the lessons of the post–World War I peace settlement and the League of Nations minority protection regime. They especially warned of the need to prevent expansive self-determination claims from undermining the prospects of postwar peace and reconstruction. To a striking degree, theorists as well as critics of self-determination applied the purported lessons of late nineteenth- and early twentieth- century European state-building, nationalism, and industrialization to the rest of the world, just as post-1945 developmental theorists would take the European experience as indicative of the path decolonizing states would follow.[9]

By 1944, with the end of the war on the horizon, Western governments began to engage in intensive postwar planning to restore international order and create institutions that would help to preserve it. The fate of liberated and soon to be liberated territories occupied much of their efforts. Officials in London, Paris, The Hague, and elsewhere hoped to restore colonial rule in formerly occupied territories and sought to insulate their holdings from emerging US plans for an internationally administered trusteeship system. American planners, while supportive of a gradual transition away from colonialism and toward self-rule and an open world economy, sought to maintain control of a vast network of bases and other spaces of semi-sovereignty where self-determination would not apply. Neither European colonial officials nor their American counterparts believed in universalizing the nation-state as the normative foundation of international order. For their part, resistance, nationalist, and anticolonial activists around the world had their own agendas and envisioned a range of possible configurations of economic and political sovereignty and rights, some according with

the narrow vision of self-determination offered by Western elites, and many ranging far more widely. The bitter and sometimes violent conflicts between these contesting visions would profoundly shape the end of the war and the creation of the UN.

The Road to the Atlantic Charter

Self-determination claims and debates circulated widely during the interwar years. They framed internationalist and anticolonial discourse among petitioners in League of Nations mandate territories. Pan-Islamist and Pan-Africanist movements like the International African Service Bureau deployed them, as did members of the League Against Imperialism, the Communist International, and other "extraterritorial collectives skirting around the edges of international representation." The transnational circulation of self-determination claims illuminated the expansive and often contentious debates over its possible reach.[10]

Japan's invasion and annexation of Manchuria in September 1931 and the Nazi ascendance to power two years later spurred anxious reflections on the postwar settlement and its potential unraveling. For observers in metropolitan capitals, including some anticolonial radicals, these events also exposed the dangers of ethno-nationalist framings of self-determination for colonized people in other parts of the world. The National Socialist Party had since its formation mobilized the discourse of self-determination. It explicitly rejected the Versailles peace treaty and the territorial concessions wrenched from Germany, calling for "unification of all Germans in the Greater Germany on the basis of the right of self-determination of peoples."[11] By the 1930s, calls for German reunification, the annexation of Austria, and self-determination for German-speaking peoples in the Sudetenland, Poland, and Czechoslovakia had become a staple of Nazi propaganda.[12] As much as the expulsions and forced population transfers that facilitated state formation in Southern Europe and the Middle East after 1919, Hitler's deployment of the discourse of *Selbstbestimmungsrecht* exposed the tensions at the heart of an ethnic-based vision of national self-determination.[13] Adolf Hitler and Woodrow Wilson were "brothers under the skin," journalist John Gunther warned in *The Nation* magazine, "and surely the Nazi doctrine of race is nothing except self-determination carried to an extreme point."[14]

Letting minorities determine their own political futures seemed equally fraught. In 1936 the League of Nations conducted a plebiscite in the Saar region, taken from Germany at the end of the war and home to 150,000 Frenchmen. The popular vote delivered an overwhelming (and, for France, humiliating) mandate for return of the territory to Germany, raising the specter that ethnic minorities elsewhere in Europe might demand similar opportunities.[15] Hitler confirmed such fears in a February 21, 1938, speech demanding self-determination for German-speaking peoples in Central Europe. Over the next six months, as war clouds gathered over Western Europe, the German chancellor denounced the Treaty of Versailles and called for plebiscites in the Sudetenland, Austria, and other German-speaking areas.[16] The Polish and Hungarian governments quickly followed suit, demanding plebiscites for ethnic minorities in Czechoslovakia.[17] An apoplectic Winston Churchill, speaking before the House of Commons, denied that plebiscites planned in some parts of Czechoslovakia "amount in the slightest degree to a verdict on self-determination. It is a fraud and a farce to invoke that name."[18] British and French acquiescence to Hitler's demands, derided forever after as appeasement, also symbolized the political cul-de-sac into which ethnic visions of national self-determination could corral their supporters, especially those ruling over multiethnic empires. Hamilton Fish Armstrong, editor of the establishment journal *Foreign Affairs*, warned, "What, further, becomes of the idea of sovereignty? What consequences will the recent application of the principle of self-determination have for nations like England and France, which can establish no possible ethnic claim to ownership over their far-flung possessions?" An enterprising reader of *Life* magazine, noting that "this self-determination idea seems to be gaining ground," called for a plebiscite in Manhattan and offered a map proposing the division of the island along ethnic lines.[19]

The Atlantic Charter

Cascading demands for self-determination for subject peoples in Europe and the colonial world collided in the summer of 1941 with the exigencies of a war that Germany seemed to be winning. Though Hitler had failed to conquer Britain, German bombers still rained destruction upon English cities and controlled much of Western and Central Europe and North Africa. The massive German invasion of the Soviet Union, launched on

June 22, 1941, sent Soviet forces reeling and led Western officials to predict that the country would collapse in weeks. Japanese forces, meanwhile, occupied Manchuria and threatened the rest of the region. President Roosevelt had already begun sending lend-lease assistance to Great Britain and understood that the United States would eventually have to join the global conflict. But US public opinion remained decisively opposed to American entry, a dynamic that would not change appreciably until Japan attacked Pearl Harbor six months later. British Prime Minister Winston Churchill was as anxious to secure a US commitment to enter the war as he was to suppress the anticolonial rebellions brewing from India to Iraq, which Crown troops had just invaded to overthrow the government and reinstall a pro-British monarch.

The stakes were high, then, when the two leaders met in Placentia Bay, Newfoundland, in August 1941 to discuss Allied war aims and their vision for a postwar world. American officials had begun postwar planning soon after the war started. The Council on Foreign Relations established its War and Peace Studies initiative in 1939, and the next year the State Department formed an Advisory Committee on Foreign Relations headed by Assistant Secretary of State Sumner Welles. The basic outlines of US thinking were already falling into place: the dismantling of imperial trading preferences; gradual moves to greater colonial self-government; and establishment of a more liberal world trading system, reflecting the free trade commitments of Secretary of State Cordell Hull.

The Atlantic Charter's importance for the history of self-determination can only be understood in the context of the breakdown of imperial rule in Africa, the Middle East, and Asia occasioned by the Nazi conquest of Europe, the looming Japanese invasion of Southeast Asia, and the surge of anticolonial activism that they produced. The Charter pledged the Allied powers to "respect the right of all peoples to choose the form of government under which they will live" and "to see sovereign rights and self-government restored to those who have been forcibly deprived of them." This formulation was consistent with Roosevelt's general opposition to colonialism.[20] But the declaration said nothing about self-determination, and the preparatory papers on both sides of the Atlantic did not mention the term.[21] Foreign Office Undersecretary Alexander Cadogan prepared the British drafts of the joint statement, and neither he nor Churchill meant to give comfort to anticolonial activists. Neither did US officials, who sought to assuage British fears that Roosevelt wanted to undermine British colonial rule, especially in

South Asia. Foreign Office officials nevertheless described the Charter as "a terrible woolly document full of all the old clichés of the League of Nations period" and dangerous in its apparent commitment to free trade.[22]

Like the idea of self-determination itself, the Atlantic Charter's vagueness was its central virtue, bridging the competing postwar economic and political strategies of US and British policymakers and the Allied nations and peoples both sought to draw into alliance. But the Charter's vagueness also left it open to appropriation by a wide range of actors seeking to mobilize its gauzy rhetoric in service of local anticolonial movements. Unsurprisingly, reporters in the United States, Britain, and colonial territories immediately drew comparisons to Woodrow Wilson's Fourteen Points. The Shanghai-based *North China Herald* hailed the Charter for "assuring the small nations of the world…that self-determination is again promised to the peoples whose territory has been overrun." *The New York Times*, however, cautioned that World War I had already shown that the answer to territorial disputes "lies not in self-determination, as we have learned in Croatia and Slovakia and Transylvania," but in the creation of multinational states.[23] For the duration of the war scholars, officials, journalists, anticolonial activists, and others engaged in a protracted and heated debate about the scope and meaning of the Atlantic Charter. Like the later Yalta and Potsdam declarations, it became a living, breathing symbol of wartime promise and betrayal for the hundreds of millions whose lives were touched by the conflict.[24]

Metropolitan officials insisted that the Atlantic Charter did not apply to colonial areas and that colonial rule was in fact consistent with its principles.[25] Upon his return to London, Churchill promptly sought to clarify and narrow the Charter's meaning, arguing against the implied promise of self-determination in Article 3, especially with regards to India.[26] Speaking before the House of Commons, Churchill recalled that "at the Atlantic meeting we had in mind, primarily, the restoration of the sovereignty, [and] self-government…of the States and Nations of Europe under the Nazi yoke."[27] On September 24 members of the Inter-Allied Council (representing Belgium, Czechoslovakia, Greece, Luxembourg, the Netherlands, Norway, Poland, the USSR, Yugoslavia, and Free French forces under the leadership of Charles de Gaulle) declared their adherence to the Charter's principles. French and Dutch officials insisted that the Charter only applied to territories conquered by the Nazis, and not Syria or Lebanon, which de Gaulle hoped to maintain under French control despite wartime promises

of independence.[28] After Soviet Ambassador Ivan Maisky told reporters that the Soviet Union supported self-determination for all nations, *The Times* of London sharply retorted, "The sovereignty of nations must be placed in a framework of mutual obligations if the aims of the Charter are to be achieved."[29] Privately, British officials admitted that the war had changed the calculus of empire and that in the case of colonies like Cyprus it would be difficult to "maintain in political subjection a people whose social and cultural level justifies the claim to self-determination."[30]

Through the winter of 1942 Allied officials continued to resist framing the goals of the war in terms of self-determination, even after twenty-six nations signed the Declaration of the United Nations pledging to uphold the principles of the Atlantic Charter. Roosevelt first invoked the phrase in a radio broadcast February 13, 1942, three months after US entry into the war, telling listeners that "the Atlantic Charter applies not only to the parts of the world that border the Atlantic, but to the whole world; disarmament of aggressors, self-determination of nations and peoples, and the four freedoms."[31] For the next year Roosevelt, Sumner Welles, and Cordell Hull repeatedly affirmed, as a March 1943 State Department draft "Declaration of the United Nations on National Independence" put it, that the Atlantic Charter applied to all nations and that colonial powers should fix "at the earliest practicable moments" dates for granting colonies "full independence."[32]

This openness seemed to extend to the US colony of Puerto Rico as well. Anticolonial activists around the world, especially in the Caribbean, viewed the US stance toward Puerto Rican decolonization as "the barometer of future American policy toward the underdeveloped regions of the world." Roosevelt's support for direct election of Puerto Rico's governor and creation of a commission on the territory's future political status suggested that he might be willing to apply the principles of the Atlantic Charter closer to home. In 1943 the House Committee on Insular Affairs considered a bill by Senator Millard Tydings and Puerto Rico's resident commissioner, Jesús Piñero, calling for a plebiscite on Puerto Rico's future status, a vote that one congressmen hoped would quiet the "lusty yells of the baby on Uncle Sam's doorstep."[33] Puerto Rican political parties, however, including the dominant Partido Popular Democrático, remained divided over whether independence, dominion status, or statehood best served the territory's long-term political and economic interests.[34] Whatever their goals, nationalists of all stripes placed these questions in a global context. They

looked to the British Commonwealth and the proposed West Indian Federation and exchanged ideas and tactics with diasporic colleagues in New York and the Caribbean. Over the course of the war even the American League for Puerto Rican Independence gravitated toward support for "self-determination for Puerto Rico" as a goal that could unite disparate parties and assuage American liberals leery of radical anticolonialism.[35]

Anticolonial activists around the world seized upon the Atlantic Charter's implied support for self-determination and Roosevelt's apparent endorsement to lend legitimacy to their own ongoing struggles.[36] The bylaws of the Filipino guerrilla movement Hukbo ng Bayan Laban sa Hapon (People's Army against the Japanese), formed in Central Luzon in early 1942, cited the "right to self-determination of our country as guaranteed in the Atlantic Charter."[37] Former Burmese Premier Ba Maw, jailed by the British for opposing entry into the war, invoked the Charter to demand immediate Commonwealth status or independence, insisting that "before Britain frees countries under Hitler, as pledged under the Atlantic Charter (self-determination of nations), she should free countries within the Empire."[38] In London members of the West African Students Union pressed Deputy Prime Minister Clement Atlee for assurances that "the declaration of principles broadcast that day applied to all races."[39] When Sir Stafford Cripps passed through Khartoum, Sudan, on his way to India in April 1942, members of the nationalist Graduates' General Congress demanded that Sudan "share in the promises of the Atlantic Charter" and that Britain and Egypt issue "a joint declaration, granting the Sudan, in its geographical boundaries, the right of self-determination, directly after this war."[40]

Around the world, Atlantic Charter study groups formed among anticolonial, liberation, and civil society organizations. In the United States they constituted a minor stream in the torrent of postwar planning exercises conducted by government agencies, universities, civic organizations, and solidarity movements. Countless groups prepared reports, passed resolutions, and debated the Charter's application to colonized peoples.[41] Shortly after US entry into the war, the US National Council of Women passed a resolution endorsing the Charter and calling for self-determination for colonized peoples, a call echoed by national affiliates of the International Council of Women and later by the World Federation of Trade Unions.[42] The Phelps-Stokes Foundation organized a Committee on Africa, the War and Peace Aims bringing together prominent anticolonial liberals like political scientist Ralph Bunche, historian Rayford Logan, and W. E. B. DuBois

to ask, "Does the Atlantic Charter hold out any hope for self-determination, for peace, security and the four freedoms for the darker peoples of the world?"[43] The committee cautioned that self-government was "an ideal seemingly as foreign to Africa as the statement in the Declaration of Independence that 'all men are created equal'…and more difficult of realization because of the hundreds of native African tribes—often with inherited animosities and conflicting interests, and in a relatively backward condition." It emphasized instead the need for a gradual progress toward "eventual self-determination" under colonial and US tutelage, development of natural resources in the interest of native peoples, and due regard for the "realities" of international commerce.[44]

Africa occupied a central place in Black Americans' thinking over the meaning of the Atlantic Charter because of its potentially revolutionary implications for the Black freedom struggle at home. Writing in the NAACP magazine *The Crisis* in 1943, historian Lawrence Reddick argued that Africa would be "test of the Atlantic Charter" and would "reveal to the submerged masses everywhere, and to ourselves, whether our stirring declarations have meaning or whether this is just one more indecent war."[45] Members of the American Council on Africa, perhaps the most important Pan-Africanist and anticolonial organization in the United States in the 1940s, agreed. Participants in a 1944 conference on the postwar future of Africa, among them Kwame Nkrumah, argued that the continent "represents perhaps the main testing-ground of the determination and ability of the United Nations to abolish imperialism" and fulfill the goals of the Atlantic Charter.[46]

Many African nationalist leaders viewed the anticolonial liberalism of their Western supporters with disdain. In his 1944 analysis *Toward Colonial Freedom*, Kwame Nkrumah chastised the Council on African Affairs, the Phelps Foundation, the Committee on African Studies, the NAACP, and other groups that "advocate the 'gradual evolution towards self-government' policy for colonial peoples" on the basis of economic or political underdevelopment, while failing to acknowledge capitalist colonial economic exploitation: "Do these organizations expect these monopoly interests and their agents, the colonial governments, to expropriate themselves? The answer to this question is as self-evident as the ignorance with which most of these organizations claim that the 'gradual evolution towards self-government' policy is the solution to the colonial problem. Nevertheless, we understand their point of view, to the extent that they reject the colonial

system and favour internal self-government, but we feel that they do not go far enough and express the fundamental aspirations of the masses of colonial peoples."[47]

Anticolonial activists were rightly wary of putting too much stock in the Atlantic Charter, especially those who remembered Woodrow Wilson's betrayal at Versailles and the brutal crushing of anticolonial uprisings in 1919–1920. Former Indian National Congress Leader Subhas Chandra Bose told fellow colonial exiles in Berlin that "the Atlantic Charter, of which we have heard so much, is as much a scrap of paper as President Wilson's Fourteen Points in the last war."[48] But even critics recognized the Charter's potential as a political weapon for mobilizing supporters. The African National Congress, then involved in a bitter debate with Prime Minister Jan Smuts, who had suggested a postwar Pan-African federation of white minority governments, formed an "Atlantic Charter Study Committee" to study its applicability to South Africa.[49] At its annual meeting in December 1943 the ANC passed a resolution affirming the Charter's endorsement of self-determination and noting that "the acid test…is its application to the African continent" and white minority-ruled southern Africa in particular. The ANC called for "full citizenship rights and direct participation in all the councils of the state," a demand that Smuts rejected out of hand. When the ANC Youth Wing formed the following March, it described "African self-determination" as the "philosophy of life which will save [the South African] from the disaster he clearly sees on his way."[50]

As the war dragged on and their military fortunes began to decline, both German and Japanese officials began cultivating anticolonial nationalists from North Africa to Southeast Asia. They embraced what historian David Motadel has characterized as "an anti-liberal (non-Wilsonian) vision of national self-determination, nationalism, and ethnic sovereignty" with potentially wide appeal. Nazi officials hosted anticolonial exiles in Berlin, while propagandists attempted to convince European colonial subjects that the Atlantic Charter was a false promise of future liberation. British invocation of "freedom of the seas" and "self-determination," the Nazi Propaganda Office warned in February 1940, were "fairy tales…designed only to obtain allies to fight for Britain's interests" and protect its colonial holdings.[51] Japanese officials likewise highlighted their support for the "racial self-determination" of Asian peoples via nominally independent states under Tokyo's control. In November 1943 Japanese officials proposed a "Pacific Charter" for the Greater East Asia Co-Prosperity Sphere consciously echoing

the Atlantic Charter and calling for the "sovereignty and independence" of Asian peoples under Japanese guidance.[52]

By 1943, self-determination had emerged as a vernacular for describing the wartime goals of colonized and occupied peoples around the world. But for many Western observers in the 1940s, self-determination represented more peril than promise. Alongside the widespread optimism self-determination claims produced in the colonial world and the popular press, journalists, social scientists, legal scholars, and policymakers offered a more critical appraisal. The association of the Atlantic Charter with the idea of self-determination provoked widespread anxiety. It invoked the seemingly ominous lessons of the Versailles peace treaty and the League of Nations Minority Protection regime; the nature of modern warfare; and the potential dangers of expansive or "premature" self-determination in colonial territories. Fears of self-determination among many observers by 1945 had hardened into dogma and trope, endlessly repeated over the next half century across wildly diverse settings even as it became a foundation of international law.[53]

Critics argued first and foremost that self-determination was a principle, not a right, and should be exercised only by those modern and civilized enough to do so responsibly. Philosopher Ruth Nanda Anshen argued that "political responsibility should be reserved for those who are able to carry it. And it is by no means a deprivation of freedom and full humanity if the large majority of people are excluded from political self-determination."[54] Some contended that anticolonial nationalists misread the Atlantic Charter and Woodrow Wilson's original vision as an endorsement of national self-determination, rather than as a more liberal vision of civic nationalism and representative self-government. US journalist Walter Lippmann denounced the Atlantic Charter as not only naive but "deeply un-American and uncivilizing." Applied internationally, it was "an invitation to anarchy" that could be used "to promote the dismemberment of practically every organized state."[55]

The perceived failures of the post–World War I settlement hung like a cloud over assessments of the Atlantic Charter's implications for the colonized world. The Allied powers had mistakenly conflated nation and state and forcibly reshuffled Turks, Greeks, Anatoles, and others on the assumption that ethnically homogeneous nation-states were desirable. "Wilson's self-determination of nations, the ideal of 'one nation one state,'" the League of Nations Union of New Zealand warned, had resulted in the proliferation

of small, vulnerable states, encouraged minority nationalisms, and created a geopolitical vacuum that Nazi Germany had easily exploited.[56] Small-state self-determination and minority rights after World War I had seemed "a necessary and inevitable step in the evolution of the modern state toward greater decentralization." The stability of postwar order could not be built on a similar basis. The executive secretary of the American Jewish Committee, Morris Waldman, suggested that "for the Old World ideas of race-state and national self-determination we must substitute the newer ideas of un-national states, or at least multinational states."[57]

The experience of Central and Southern Europe after World War I, warned E. H. Carr and Alfred Cobban, hinted at the dangers of applying the principle of self-determination to the colonial world, at least outside of large dependencies like India or the Philippines. Cascading claims by self-described nations would produce the disintegration of exiting states "at a moment when strategic and economic factors were demanding increased integration and the grouping of the world into fewer and larger units."[58] For most territories limited self-determination would mean continued colonial rule with gradual increase in self-government, perhaps leading to dominion status or home rule, and incorporation into the world economy on liberal terms ensuring equal access to local markets and raw materials.

Small states constituted a particular threat, critics of self-determination warned, a refrain they would repeat for the rest of the century. The creation of small states like Czechoslovakia after 1919 contributed directly to the political instability of the interwar period, insisted Erich Hula, an Austrian political scientist who fled Nazi occupation in 1938. Small states were jealous of their sovereignty, suspicious of the great powers, and prone to economic nationalism that exacerbated the existing constraints of limited populations, resources, and military power.[59] Hungarian émigré, publisher, and writer Emery Reves, a leading advocate of world federalism, lamented that "two world wars prove conclusively the mortal peril and the total fallacy of allowing the concepts of 'self-determination of nations' and 'national sovereignty,' to chart our course."[60]

The disintegration of the League of Nations, the collapse of the world economy in the 1930s, and the terrifying nature of global warfare reinforced fears that small states were an atavism. Japanese Pan-Asianist writer Nonami Shizuo, making the case in 1932 for Greater Asianism under Tokyo's leadership, warned that self-determination was incompatible with the world trend toward regional federations and the creation of

large states. During the war Japanese propagandists called for Southeast Asian regionalism and "racial self-determination" as the answer to "under-sized or under-nourished political independence."[61] Asoka Metha, a founder of the anticommunal Congress Socialist Party in India, observed that "Hitler has shown how flimsy and illusory was the independence of small nations in a world of rival imperialisms." India's only possible future lay in federation or other schemes in which nation and territory were no longer coterminous. "The time for tiny colonial possessions is past," warned the *Times of London*'s West African correspondent. Military as well as economic realities demanded territorial reorganization of the African continent, perhaps along the lines of colonial or regional federation.[62]

The rapid Nazi conquest of Central and Western Europe, moreover, starkly displayed the vast disparities in economic and military power between large and small states. The fragmentation of Europe after 1919 into a series of small states, E. H. Carr argued, was "repugnant to the revolutionary changes brought about by technical progress and to modern economic exigencies." These changes demanded a world of fewer, larger states with modern industrial structures and the ability to project power, incorporate raw materials from around the world, and find global markets for their goods. The Soviet newspaper *Izvestia* agreed, observing in the spring of 1940 that small states lacked the power to sustain their independence or neutrality.[63] Japanese military strategists drew similar lessons from the post–World War I era, concluding that military success now required industrial and resource self-sufficiency. This conviction animated their determination to create a self-contained regional economy centered on Korea, coastal China, and Manchuria.[64]

Perhaps more important, small states were economically unviable and lacked the resources, industrial capacity, access to markets, or economies of scale making economic self-determination feasible. "Self-determination will not do much for rubber-growing territories if the United States determines to manufacture synthetic rubber on a scale of national self-sufficiency," warned British MP Edward Grigg, making the case for US-British imperial cooperation. "Economic self-determination is a mirage in the colonial sphere."[65] Great power economic nationalism and the quest for economic independence had already wrecked the foundations of the world economy. The further proliferation of small states in the name of national self-determination, E. H. Carr insisted, was "incompatible with the survival

of civilization."[66] The "small-state" argument, first voiced in the aftermath of World War I, had remarkable staying power and proved to be one of most persuasive and enduring critiques of self-determination during the era of decolonization.[67]

Many US officials believed that the turn toward autarchy after 1929 had accelerated the collapse of the world economy and the march to war, and must be avoided at all costs in the future. By the summer of 1941, US postwar planning proceeded on the assumption that avoiding a repeat of the 1930s required an open world economy and liberalized flow of goods, finance, and raw materials—a world of political sovereignty and economic interdependence in which, as Secretary of State Cordell Hull argued in 1943, the "natural resources of colonial territories shall be developed, organized and marketed in the interest of the peoples concerned and of the world as a whole." Global war had changed everything. The complex mineral and metallurgical requirements of modern industry, especially military-related industry, highlighted the dangers of resource nationalism and the need to ensure guaranteed access to strategic raw materials, especially in dependent areas. A 1942 conference of British geologists concluded that the need to procure key minerals like chromium, cobalt, manganese, nickel, and tungsten, which were often located in colonial areas, highlighted "the impossibility of self-sufficiency and the interdependence of all the world's regions." Members of the League of Nations League of New Zealand shared these concerns and called for public ownership of natural resources in mandate territories.[68] The Atlantic Charter's calls for postwar economic cooperation and equal access to raw materials for all nations, however, were hardly consistent with calls for economic self-sufficiency or sovereignty for small states. Such demands, the African National Congress predicted, would likely "bring about a continuation of the exploitation of African resources to the detriment of her indigenous inhabitants and the enrichment of foreigners."[69] Political sovereignty after the war would mean little if colonial patterns of economic exploitation persisted.[70]

Debates over the future of Japan's Pacific mandate and mandate territories Papua New Guinea, Nauru, and Western Samoa served as a proxy for critics' fears about the dangerous implications of expansive self-determination claims. These produced the standard litany of reasons why the islands should not achieve immediate independence after the war: poverty, illiteracy, weak governing institutions, insufficient numbers of trained personnel, isolation, cultural backwardness, primitivism, racial inferiority, military necessity, and

excessive economic nationalism. Chinese political scientist H. R. Chow cautioned, "It is pretty well agreed that the subject peoples of the Pacific region should not be returned to the position they occupied before the war. Yet it would be premature and even dangerous to leave them to themselves immediately after the war in a region where international relations as well as racial relations are so complicated."[71] Australian anthropologist A. P. Elkin agreed. He called for a charter for the native peoples of the Pacific that would maintain guardianship arrangements while gradually granting them increasing self-rule, a vision that would have resonated with Japanese strategists. "The revelation and understanding of the facts of native life and cultures," Elkin offered, "has at last made most people…conscious of the right of even primitive peoples to attain self-determination."[72]

Though anticolonial activists around the world were claiming self-determination as a right affirmed in the Atlantic Charter, many Western and especially US observers were already backing away from its stirring calls for self-government and stressing its necessary political, geographic, and economic limits. Writing in *The Nation*, Karl Loewenstein argued that the victorious Allied nations could not afford to allow collective self-determination for any state that did not offer democratic self-government. "Hetacombs of innocent victims have been sacrificed," he wrote, "because the despots were permitted, under protection of the dogma of internal self-determination, to extinguish the freedom of their own people and then to turn their loathsome practices of internal lawlessness against other nations."[73] The American Jewish Committee insisted that a postwar human rights regime must safeguard the rights of individuals, rather than groups, and promote the emergence of multinational states rather than rely on the failed promise of minority protection.[74]

Concerns about the horrific nature of industrial warfare, the perceived dangers of a proliferation of small states, and the growing interdependence of the world economy sparked a variety of proposals for global governance beyond a world of self-determining nation-states and peoples. Federations, historian William Roger Louis observes, "became the grand design of the two postwar decades."[75] Supporters of regional or world federalism began organizing in the 1930s as war loomed in Europe, bemoaning the failures of the post–World War I settlement and the League of Nations to tame the destructive forces of nationalism and protect small states. World federalists like H. G. Wells, who believed that application of the principle of self-determination would "fragmentize [*sic*] the structure of the world," looked

to a postwar United Nations Organization as a vehicle for supranational politics shorn of great power rivalry and destructive nationalism.[76] Wendell Willkie's best-selling 1943 book *One World* helped to popularize calls for global government and world federalism as both a repudiation of empire and a warning of the dangers of proliferating self-determination claims emanating from Europe and the colonial world. President of the Indian Political Science Association S. V. Puntambekar implored his colleagues to develop a "new theory of sovereignty" capable of "neutralizing the desire for self-determination and new political partitions into small units, and for generating a process towards larger regional integration."[77] The Hungarian-born émigré lawyer Nicholas Doman lamented the "failure of the national-state system in Europe" and argued the need for a postwar vision of regionalism that recognized that "the national state is too small a political unit in world society."[78] Many anticolonial activists in French West Africa and the West Indies shared these concerns. At the Manchester Pan-African Congress, labor activists from the British colony of St. Kitts forwarded a resolution noting that the Atlantic Charter's implied support for self-determination had stimulated support for federation among the peoples of the Caribbean.[79]

From the left, Marxists and socialists criticized the United States, Great Britain, and the Atlantic Charter more generally for not embracing more explicitly the right of self-determination for colonized peoples. George Padmore adopted the Leninist position that immediate self-determination of dependent peoples would strike a blow against imperialism and national chauvinism.[80] Others challenged the "small state" critique. "It is a strange spectacle indeed," mused Polish writer Czeslaw Poznanski, that "when we turn to this question of self-determination and independence of nations die-hard imperialists and left-wing socialists have discovered after all that the independence of small nations is not a desirable war aim."[81] Norwegian Foreign Minister Halvdan Koht, speaking before the American Philosophical Society, rejected the argument that small states were an anachronism in an age of total war, suggesting that regional federations for purposes of economic integration and defense could safeguard small-state sovereignty—not just in Europe but in the West Indies, the Pacific island territories, and elsewhere.[82] Luxembourg's prime minister, Pierre Dupong, sharply criticized "postwar planners, who so lightly speak of the small states as of some nuisance," and embraced the Atlantic Charter's reaffirmation of the principle that "all nations, large or small, must have the right of self-determination."[83]

Concerns about expansive interpretations of the Atlantic Charter contrasted sharply with the growing public embrace of self-determination as a wartime goal in many parts of the world. If the outpouring of resolutions from ethnic, political, and civic organizations in the United States is any indication, the Atlantic Charter was already becoming a popular language for an expansive vision of self-determination and human rights. While British and US critics sounded the alarm, the Eastern Seaboard Conference of the National Negro Congress—to take one of many examples—passed a resolution in April 1943 calling for the "Atlantic Charter and Four Freedoms to be immediately applied to India, Africa, the Caribbean, and other colonial peoples."[84] The Congress spoke for many around the world.

Wartime Disputes

The scope and meaning of the Atlantic Charter and associated ideas about self-determination emerged in the context of wartime negotiations, guerrilla and resistance movements, public debate, and local contests over the meaning of liberation from foreign occupation. The Soviet invasion of Poland in 1939, followed by Latvia, Lithuania, and Estonia in the summer of 1940, raised these issues with particular urgency. These events galvanized US public opinion, especially among Eastern European immigrants whose support Roosevelt needed to win reelection. Between 1941 and 1943, President Roosevelt, Undersecretary of State Sumner Welles, Cordell Hull, and other US officials stressed the universality of the Atlantic Charter and its application to Soviet-occupied territories. Meeting with Lord Halifax in February 1942 to discuss Churchill's overtures to Stalin regarding a proposed agreement on frontiers in Eastern Europe, Welles asked, "Could it be conceivable that any healthy and lasting world order could be created on a foundation which implied the utter ignoring of all of the principles of independence, liberty, and self-determination which were set forth in the Atlantic Charter?"[85]

President Roosevelt faced increasingly vociferous demands from groups like the Emergency Committee to save the Jewish People of Europe and the National Catholic Welfare Conference for the United States to demand Soviet withdrawal from Poland and the Baltics after the war. By the time Roosevelt went to Tehran in December 1943, however, he had already begun to edge away from his previous support for self-determination and

toward his vision of a great power condominium with the Soviets. As he told Joseph Stalin: "There were a number of persons of Lithuanian, Latvian, and Estonian origin…in the United States" and the "big issue…insofar as public opinion went, would be the question of referendum and the right of self-determination." Roosevelt assured Stalin, however, that "he personally was confident that the people would vote to join the Soviet Union."[86] "It has not been explained," observed the conservative US magazine *National Republic*, "how the Poles or Balkanites are going to successfully 'self-determine' their own future independence" under Soviet occupation.[87] Many US conservatives were beginning to take up self-determination as a cudgel against the Soviet Union for its occupation of Eastern Europe, framing the Atlantic Charter in the narrowest terms as a pledge to restore self-government to the peoples of occupied Europe rather than as a promise to colonized peoples for eventual independence.[88]

American and other Allied policymakers faced difficult questions: How to square the promises of the Atlantic Charter with the exigencies of wartime and great power politics? And how would they respond to local demands for self-determination in the territories liberated from Nazi and Japanese occupation? Time and again they reached the same conclusion. Self-determination was an idea to be contained, not encouraged, lest it threaten international order and the stability of colonial rule. British and American officials confronted this dilemma when Allied troops landed in North Africa in November 1942 only to find that anticolonial activists had already translated the Atlantic Charter into Arabic and were demanding that its self-government provisions be applied to France's North African possessions.[89] Franklin Roosevelt's special representative in North Africa, Robert Murphy, reassured the State Department he had done nothing to encourage this. Murphy met with moderate Algerian nationalist leaders like Ferhat Abbas on the eve of the invasion and emphasized that Washington would continue to recognize French sovereignty in areas under military occupation. Undeterred, Abbas issued the *Manifeste du peuple Algerien* three months later, demanding Algeria's right to self-determination as a fulfillment of the Charter's promises. In neighboring Tunisia, Moncef Bey Pasha demanded similar reforms from Vichy officials and formed a new government. Leaders of the two largest Moroccan political parties, Mekki Naciri and Abdelkhaleq Torres, issued a similar independence manifesto in February 1943. Nationalist leader Allal al-Fassi declared, "Nobody can deny the impact of the War, the Atlantic Charter, the Allies landings in North

Africa, and the declaration of independence of Syria and Lebanon…upon the nationalists."[90]

The US Charge in Morocco warned the State Department against encouraging false hopes. "Some American officers with more gift of gab than prudence may have encouraged Moroccans to believe we were ready to take their part against the French. Wilson's self-determination when heralded after last war as equally applicable to all peoples set off a powder magazine in Egypt, and pre-mature talking in Morocco about Atlantic Charter and Four Freedoms, in respect of a people who are several generations behind Egyptians in political development, is dangerous."[91] By mid-1943, the Allied powers had already begun to retreat from pledges of immediate self-determination for liberated territories. Roosevelt removed his foremost public advocate of self-determination, Sumner Welles, from his post as assistant secretary of state. And he remained silent as Free French forces deposed Moncef Bey Pasha and crushed a growing nationalist revolt in Tunisia with "a reign of terror, arbitrary arrests, beatings and torture."[92]

The French liberation of Syria and Lebanon produced similar dilemmas and similar responses. French colonial administrators and military officials worked diligently to prevent the translation and dissemination of the Atlantic Charter in the Maghreb.[93] Roosevelt saw French leader Charles de Gaulle's contention that neither territory would be ready for independence for one hundred years as an indictment of exploitative French colonialism, and he flirted with the idea of postwar trusteeship as an alternative to a restoration of French rule.[94] De Gaulle told Roosevelt in July 1944 that while he would consider granting greater autonomy to colonies like Indochina after the war, France "would not surrender any part of her empire," a pledge he had made a few months earlier to colonial governors at the Brazzaville Conference.[95] In continental Europe Allied officials were a bit more tolerant of democracy. As Allied forces swept up the Italian peninsula in the summer of 1943, Roosevelt insisted that the United States intended to restore self-government to Italy "in accordance with the principles of self-determination" after the fascist government there had been deposed. Churchill confided to Roosevelt, "I will deal with any Italian authority who can deliver the goods," but that the Allies should "deprecate any pronouncement about self-determination at the present time, beyond what is implicit in the Atlantic charter." The President concurred, worried about growing power of Communists and other wartime resistance movements that might demand a seat at the table in determining the shape of postwar Europe.[96]

Churchill was doubtless thinking of India, where the Indian National Congress still refused to support the war effort and had launched the Quit India Movement. Tensions had been building since March 1942, when Churchill sent Cabinet Minister Sir Stafford Cripps to New Delhi in an effort to convince Gandhi and Jinnah to back Britain in exchange for the promise of dominion status after the war. Gandhi and Nehru rejected the nonaccession clause, and the Congress Party instead demanded immediate self-government, which Cripps rejected. The Muslim League also rejected the Cripps plan because it did not endorse Muslim self-determination. It insisted instead on a "nonaccession" clause allowing Muslim-majority provinces to opt out of a postwar Indian state.[97] The British government's decision to arrest much of the Congress Party leadership highlighted the myriad contradictions between Washington's desire to win the war in Asia and its reliance on British military power in the region. Self-determination, US officials concluded, would have to wait until well after the war.[98]

The wartime dialogue between the Indian National Congress and the Muslim League over the future of India (and, potentially, Pakistan) crystallized most of the important postwar debates over the nature and scope of self-determination. Over the course of the war Gandhi and Nehru had moved in the direction of Jinnah's demands, accepting the principle of Muslim self-determination, though within a federal system. But Gandhi and Jinnah "could not agree whether the communal problem should be solved before or after independence." By 1944, Jinnah had come to view a future Muslim state "in separatist terms," telling Gandhi, "It seems to me that you are laboring under some misconception of the real meaning of the word self-determination. Can you not appreciate our point of view that we claim the right of self-determination as a nation and not as a territorial unit, and that we are entitled to exercise our inherent right as a Muslim nation, which is our birthright?"[99]

Gandhi's vision of self-determination was anticolonial; Jinnah's was postcolonial, or at least post-Wilsonian. Gandhi rejected the two-nations theory and the principle of an ethnic or religious territorial nationalism and refused to accept as legitimate Jinnah's acute sense of Muslim disfranchisement. In his eyes Britain's encouragement of Jinnah was a wedge for splintering the Indian nationalist movement. M. R. Jayakar, a member of the Privy Council, agreed, arguing that "the creation of more than one union, however, consistent in theory with the principle of self-determination, will

be disastrous to the lasting interests of this country and its integrity and security."[100] Scores of decolonizing states in the postwar period would face similar conflicts between nationalist movements seeking to decolonize while preserving colonial borders, and ethnic or religious minorities seeking greater autonomy or outright independence.[101]

The contradictions of the evolving US commitment to principle of self-determination and retreat from the principles of the Atlantic Charter revealed themselves most starkly in its position on Mandate Palestine. There British officials faced a revolt over their repressive rule and Arab opposition to Zionist immigration, as well as armed struggle by Zionist militias pressing for unrestricted entry into the territory. All sides viewed the volatile situation in a broader imperial context. Arab leaders frequently invoked the Atlantic Charter when speaking to US officials about their opposition to Jewish migration to Mandate Palestine.[102] Sumner Welles, however, rejected self-determination for Palestinians and their lands, which he characterized as "forage country" filled with nomads who should be removed—by force if necessary—to make way for a Jewish state. "Up to the present time," he wrote in July 1941, "it has not been possible to apply the Wilsonian principle of self-determination to Palestine." Most US officials shared these views, sometimes acknowledging that Palestinian Arabs had the right to self-determination but insisting that they were too backward and primitive to exercise it, a logic applied to other groups deemed unfit for nationhood and independence.[103]

Policy planners understood that unrestricted Jewish migration to Palestine and the creation of a Jewish state required the dispossession and or expulsion of the Indigenous majority. Myron Taylor, former head of US Steel and US envoy to the Vatican, observed that the Atlantic Charter's second article, which "refers to protection of peoples in their homes" and to their "not being forcibly moved about at the will of anyone else" was "quite a hurdle to get over if you are going to eject a million people from Palestine." Roosevelt had been sympathetic to such concerns before his death. Harry Truman, in contrast, signaled his support for unrestricted Jewish immigration to Palestine. Like Jinnah's Muslim league, the Zionist movement in the 1940s advanced an ethnic vision of self-determination that most Western observers had rejected as a danger to international stability and a primary cause of the global conflagration from which the world was just beginning to emerge.[104]

A Postwar World of Bases

By the time US, British, Soviet, and Chinese officials met at the Dumbarton Oaks estate in Washington, DC, in August 1944 to develop proposals for the United Nations Organization, self-determination had emerged as a vernacular discourse for describing Allied war aims and the postwar hopes of liberated and colonized peoples in many parts of the world. Just a few months earlier Max Yergan and Paul Robeson of the Council on African Affairs sponsored a conference, whose participants included Kwame Nkrumah and Mary McLeod Bethune, president of the National Council of Negro Women, on the future of Africa and international organization. The conference called for "guaranteeing full self-government and the right of self-determination to the people of any dependent area, and for setting definite dates at which time the peoples of each dependent area might achieve self-government." Participants insisted that the United Nations Organization encourage public and collective economic enterprise in dependent areas to break the hold of foreign capital and firms, an explicit repudiation of the Atlantic Charter's emphasis on equal access to the raw materials of colonial areas.[105]

British and American officials had other plans. They intended to establish a worldwide network of military bases in both dependent territories and independent states that would limit their political and economic self-determination in the purported interests of global security. During the spring and summer of 1944 they engaged in lengthy discussions over the shape of a United Nations Organization and the future of colonial areas, former League of Nations mandates, and territories liberated from Axis occupation.[106] On the paramount question of overseas military bases, London and Washington found themselves in agreement. Britain operated extensive military bases in colonial India, Bermuda, Egypt, Cyprus, Singapore, and Gibraltar, among other territories. London's insistence on continued access to military bases would dictate the pace and scope of decolonization in territories like Cyprus, where it would only consider ceding the island back to Greece in exchange for long-term access to military facilities.[107]

Establishing overseas military bases on a global scale was a revolutionary act for the United States, one that would transform not just its role in the world but the world itself. Washington had acquired thousands of bases by conquest or lend-lease agreement. Through the fall of 1943 President Roosevelt resisted military advisers who urged a direct US takeover of

captured Japanese mandate islands. He insisted that annexation was unnecessary and that international trusteeship could meet US security goals.[108] That summer, however, the Joint Chiefs of Staff began outlining plans for a global network of hundreds of air and naval bases, many located on Japanese mandate holdings conquered during the war and, in theory, entitled to the restoration of self-government after it.[109] The establishment of peacetime overseas military bases would require agreements with dozens of countries and, in the case of Pacific island territories, novel interpretations of international law and new doctrines of sovereignty. Doing so raised profound questions about whether territories with foreign military bases could really be considered independent or enjoy meaningful self-determination. For both US and British officials the answer was no. They considered it vital that the charter of a new international organization explicitly sanction "separating sovereignty from military facilities," and worked to develop a legal and political framework for holding on to them, coming up with solutions short of outright annexation.[110]

Emerging US plans for a postwar trusteeship system envisioned a gradual return to self-government or independence under international supervision for most territories. A May 1944 State Department draft proposed that, where possible, trusteeship should "foster in the inhabitants [of trust territories] the capacity for self-government, in both political and economic affairs."[111] But for the Pacific islands US officials and a wide range of private postwar planning exercises argued that the maintenance of international peace and security warranted the establishment of permanent military bases and occupation. Strategic concerns reinforced racist and developmentalist assumptions about these island territories. "Unlimited self-determination" for Pacific peoples without international administration was impossible, a recipe for "constant war and chaos," warned Canadian journalist Willard Price. Stanley Hornbeck, a special adviser to Cordell Hull, agreed that "there are many peoples in the islands of the Pacific who will never be capable of self-government. Would we want to foster capacity for self-government … when ultimate self-government was clearly impossible?"[112]

By the time US, British, and Soviet officials met at Dumbarton Oaks, they had already abandoned self-determination as an Allied war aim, outside of recently liberated Western Europe. As they conferred over the course of seven weeks they focused on guaranteeing great power dominance of a new United Nations Organization. Chinese officials, some of whom could remember the betrayal of colonial hopes at Versailles in 1919,

proposed that the organization should establish the sovereign equality of states, guarantee racial equality and nondiscrimination, promote a wide range of economic and social rights, and establish a Trusteeship Commission to prepare dependent territories for self-determination and eventual independence. Their ideas were rejected on all counts. US and British officials did not even mention self-determination in the planning materials for Dumbarton Oaks, much less at the conference itself. The new international organization would preserve both colonialism and the prerogatives of the great powers.[113]

The failure of the Dumbarton Oaks participants to address any of the most urgent demands of small states and the colonized—for racial justice, sovereign equality, self-determination, and a path to decolonization—predictably spurred global outrage.[114] Indian Congress Party leaders and British Commonwealth members like New Zealand and Australia condemned the absence of clear plans for trusteeship or mention of self-determination. The Council on African Affairs publicly appealed to Roosevelt and Secretary of State Edward Stettinus to commit to achieving "full democratic rights for all of the inhabitants of the non-colonial territories and enabling the indigenous people in all colonies, protectorates, and mandated territories to achieve self-government and the right of self-determination within a specified time limit." Puerto Rican activists echoed these appeals and continued pressing for a plebiscite on the territory's political future.[115] At the February 1945 World Trade Union Conference, Jamaican delegate Kenneth Hill urged union representatives from sixty-three countries to support "complete self-determination for all colonial peoples of Africa, the West Indies, and the Pacific Area."[116]

Latin American diplomats and legal scholars shared similar aims. They continued to advance a regionally distinctive vision of self-determination grounded in sovereign equality and nonintervention in the internal affairs of states, directed above all at US and British intervention.[117] A few weeks after Dumbarton Oaks, representatives of twenty Latin American nations met at Chapultepec Palace in Mexico City. They issued a declaration pointedly criticizing the exclusion of small states from discussions of postwar order and affirmed their commitment to sovereign equality, nonintervention, and an expansive vision of human rights in a proposed "Declaration of the Rights and Duties of Nations." In early May Chile, Cuba, and the Dominican Republic unsuccessfully proposed amendments to the draft UN Charter incorporating many provisions of the declaration and enshrining

sovereign equality of states, territorial integrity, self-determination, and nonintervention as founding principles of the UN.[118]

US officials faced global criticism for not advancing a trusteeship proposal or supporting the self-determination of dependent peoples at Dumbarton Oaks. But they were more concerned with getting British and Soviet officials to sign off their base proposals than with criticism from New Zealand or Mexico. Churchill and Stalin finally agreed to Roosevelt's broad vision for trusteeship at Yalta in February 1945 after receiving assurances that their colonial and regional interests would be excluded from international oversight. Shortly before his death, Roosevelt also announced his support for a dual trusteeship system devised by Interior Secretary Abe Fortas that would subject most territories to international supervision. For Micronesia a wholly new category of "strategic trust territory" was invented to enable the United States to administer the islands in the interests of world security, but without UN oversight.[119]

Supporters of self-determination continued to press their case in May at the San Francisco Conference, where more than fifteen hundred invited representatives from dozens of nongovernmental organizations gathered. The mostly American attendees included the NAACP, American Council on Africa, Federal Council of Churches, American Association for the United Nations, American Jewish Committee, World Jewish Congress, and the National Catholic Welfare Council.[120] A host of more radical anticolonial organizations sent representatives, petitions, and demands, including the West Indies National Council, the Nationalist Party of Puerto Rico, the Sino-Korean People's League, the One World Association, the Provisional World Council of Dominated Nations, and the Indonesian League of America. From the margins they pressed Chinese representative Wellington Koo, other non-Western delegations, and American attendees to support immediate self-determination or independence for colonial peoples and trust territories.[121]

Anticolonial groups who were unable to attend delivered petitions, issued reports, and made declarations calling for the same. Participants at a conference of the All Colonial People's Committee in London, representing the Federation of Indian Nationalist Organizations in Great Britain and the Pan-African Federation, issued a manifesto to San Francisco Conference attendees "calling upon the darker races of the world to demand the right of self-determination." Labor unions and parties served as important agents of internationalism as well as anticolonial solidarity. Australian labor unions

pressed their delegation to San Francisco to support "the right of self-determination for all oppressed colonial people and minorities" and the raising of living standards of colonized peoples.[122] The NAACP and many anticolonial activists particularly targeted the US trusteeship system proposal and the "strategic trust territory" concept. The Council on African Affairs and other groups called for the creation of an International Colonial Commission with representatives from colonial peoples, a timeline for self-government and independence for most colonies, and direct international supervision of military bases established in colonial areas or mandate territories. They also insisted that political liberation of the colonial world required economic emancipation.[123] More moderate organizations like the Federal Council of Churches and the American Jewish Committee adopted positions consistent with the liberal anticolonialism of the US delegation. Lawyer John Foster Dulles, serving as an adviser in San Francisco to Republican Senator Arthur Vandenburg, reported that most "were satisfied… with self-government or autonomy as the goal of the trusteeship system and had never insisted on independence."[124]

Weeks of debate in San Francisco highlighted a simple fact: After decades of discussion diplomats, scholars, lawyers, and activists could not even agree on the meaning of self-determination, much less its place in the UN Charter. Stalin eased the logjam when he directed the Soviet delegation, with support from smaller, noncolonial powers, to introduce a proposed amendment to Article 1 describing the purpose of the UN as "respect for the principle of equal rights and self-determination of peoples."[125] The Soviet abandonment of "national self-determination" in favor of "self-determination of peoples" was significant, even if its full implications were dimly understood; it shifted from ethnic homogeneity to heterogeneity as the implied goal of postwar state-making. Even then, delegates could not agree on the definition of peoples, or nations, or self-determination itself.[126] Several states attempted and failed to amend Article 1 to include the "right of self-determination," but when French delegate Jacques Fouques-Duparc and Chinese delegate Yeun-li Liang asked whether self-determination "meant the right of a state to have its own democratic institutions or right of secession," the Conference Technical Committee had no answer. Principle or right, self-determination had no agreed-upon legal content, which made its relegation to a vague goal in Article 1 and the preamble to Chapter IX outlining the purposes of the Economic and Social Committee probably the best that could be hoped for.[127]

A more consequential fight erupted over the meaning and goals of the trusteeship system, where the colonial powers waged a desperate, weeks-long effort to narrow its scope and authority. Fierce debate unfolded over which dependent territories would be subjected to international oversight, whether and how international oversight of trust territories would be conducted, and whether the goal of trusteeship should include self-determination and independence. The initial US draft proposed trusteeship for former mandate territories, territories captured from Germany, Italy, and Japan, and any territories voluntarily included by colonial nations. On May 15, Soviet and Chinese delegates proposed an amendment to the US draft outlining the goal of trusteeship to include "progressive development toward self-government and self-determination" and full independence. US, British, French, and South African officials immediately objected, insisting that "the concept of progressive development toward self-government was as far as one could go" given the dangerous implications for their colonies. Over the next five weeks they tried to fend off proposals from the Philippines, Ecuador, Egypt, Saudi Arabia, China, Mexico, Haiti, and others to include "the right to self-determination" and independence among the goals of trusteeship. British officials argued that to even use the word "independence" would confuse colonized peoples, depress colonial investment, and stimulate demands for the "creation of numerous small states at a time when the interdependence of all peoples was becoming increasingly desirable."[128]

The need to convince all sides to sign off on US bases in the Pacific islands dictated the road taken. US delegate Harold Stassen put the issue concisely: "The only position the United States should take…was that self-determination should be established according to the individual circumstances of the territories involved. There were some areas," however, like the Pacific islands, "which could never govern themselves and, hence, could not, for their own welfare, be allowed to determine their own political status."[129] Accordingly, Chapter XII, which created the International Trusteeship System, assigned responsibility "for all areas not designated as strategic" to the General Assembly, but oversight of strategic trust territories to the Security Council alone, and effectively to the United States. Likewise, the trusteeship system included "progressive development" of trust territories "towards self-government or independence" among its goals, but only "as may be appropriate to the particular circumstances of each territory," a formulation laden with generations of developmental and civilizational

assumptions about colonized peoples. Although the colonial powers fought bitterly to block any accountability or oversight mechanisms, Chapter XIII, which created the UN Trusteeship Committee, included a right of petition, a space for possible resistance and political action that residents of trust territories would exploit as residents of League of Nations mandate territories had before them.

While the world's attention was focused on San Francisco, anticolonial, labor, and Indigenous activists around the world imagined alternative futures. On June 10, as delegates were finalizing the structure of the UN trusteeship system, dozens of activists from India, West Africa, East Africa, the West Indies, South Africa, Ceylon, Malaya, and Burma gathered in London for a "Subject People's Conference." There they drafted what organizers Jomo Kenyatta and George Padmore described as a "United Colonial Charter." Attendees represented a wide range of student, labor, Pan-Africanist, and anticolonial organizations like the International African Service Bureau, Pan-African Federation, the Malaya and East Indies Peoples' League, and the West Indian Federation Committee. George Padmore told attendees that colonized people "had 'lost faith in all meaningless phrases' like 'trusteeship and self-government' that the 'Big Powers' were talking about in San Francisco at the UN meeting." The conference passed resolutions calling for the "unconditional and immediate ending of all colonial systems within a definite and stipulated period" and for self-determination for all former Italian and Japanese occupied territories.[130] Many of the same activists gathered three months later to condemn British intervention in Southeast Asia, demand independence for India, French Indochina, and the Netherlands East Indies, and call for the "establishment of a colonial federation for the liberation of all colonial peoples."[131]

The UN Charter and trusteeship system failed to meet the colonial world's demands for guarantees of human rights, self-determination, and a clear path to decolonization. But wartime debates over the scope and meaning of self-determination, amplified by the Atlantic Charter and vernacularized by local anticolonial and independence movements, reveal that the United States, Britain, France, and other colonial powers had already failed to confine it within the liberal boundaries they established after World War I.[132] A staggering range of peoples and movements from around the world articulated a broad vision of self-determination encompassing political, economic, and cultural rights and sovereignty. These claimants appealed to colonial and League of Nations mandate authorities, mobilized

local populations, wrote for wider audiences, traversed activist and solidarity networks, and connected local to global struggles.[133] Self-determination thus emerged from the wartime years as an open-ended global discourse, but one whose scope and meaning remained deeply contested. As the first wave of decolonization struggles unfolded after 1945, as the UN began debating a new human rights regime, and as the UN Trusteeship Committee began codifying its goals, these contests would intensify and spread to every corner of the globe.

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2

Defining Self-Determination

When British troops waded ashore in Batavia, the capital of the Netherlands East Indies in late August 1945, they found billboards, buildings, and trams throughout the city emblazoned with slogans like "Gentlemen, remember the Atlantic Charter promises self-determination to all nations," and "For the Right of Self-Determination" (Figure 2.1).[1] Two weeks earlier nationalist leaders Sukarno and Mohammed Hatta had proclaimed Indonesian independence, appealing to US and British officials and deploying the language of the Atlantic and UN Charters. "Does not the Atlantic Charter recognize the right of all peoples to live under a government of their own choice?" asked Hatta in a speech.[2]

A few days later, on September 2, 1945, Ho Chi Minh ascended a podium overlooking Ba Dinh Square in Hanoi, where he proclaimed the independence of Vietnam before an audience of hundreds of thousands. After cataloging the grievances accrued over decades of French colonial rule, Ho declared, "We are convinced that the Allied nations which at Tehran and San Francisco have acknowledged the principles of self-determination and equality of nations, will not refuse to acknowledge the independence of Vietnam."[3] This was not the first time Ho had invoked US support for self-determination. Twenty-six years earlier in Paris, Nguyễn Ái Quốc, as he was then known, petitioned Woodrow Wilson to support Vietnamese

Figure 2.1 Slogan "For the Right of Self-Determination" on a wall in Batavia.

independence, only to embrace more radical anticolonial discourses when the US president refused to even hear his pleas.[4]

Vietnamese and Indonesian leaders publicly deployed the discourse of self-determination in an effort to induce the Truman administration to support their respective independence movements. But each spoke similarly to fellow citizens and subjects, suggesting that ordinary Vietnamese and Indonesians understood meaning of the Atlantic Charter and self-determination in vernacular terms.[5] A 1945 Viet Minh textbook for educating clandestine cadres, for example, described the need "to protect the right of self-determination of the minorities," who should be "free to choose their own country, either to remain isolated, or to join the other peoples in order to form a large federation."[6] By November 1945 both Vietnam and Indonesia were in revolt, and their demands for self-determination took more concrete form. Early that month Ho Chi Minh wrote to Sukarno proposing a Federation of the Free Peoples of Asia, who would declare "that the words justice and freedom and self-determination still have some meaning… instead of remaining lies on scraps of paper written by scheming and would-be masters."[7] While this proposal didn't directly bear fruit, two years later the Democratic Republic of Vietnam helped to establish the South East Asian League in Bangkok, one of many post-1945 efforts by anticolonial activists, revolutionary movements, and diplomats to build regional and transnational solidarity around calls for "the freedom and self-determination of South East Asian Peoples."[8]

Indonesian and Vietnamese revolutionaries weren't alone. Independence movements around the world, as well as their supporters in European and Commonwealth labor, religious, anticolonial, and human rights organizations, declared their support for the self-determination of colonized peoples with increasing volume. Organizations like the Congress of Peoples Against Imperialism, which brought together anti-Soviet groups on the European left, were determined to enact the ideals that the great powers had nearly snuffed out in San Francisco. Anticolonial activists demonstrated their solidarity through countless petitions, meetings, armed struggles, and letters transiting the globe via personal travel, wire service, and local newspaper reports.[9] But the meaning of self-determination itself remained vague, and claimants and critics divided over its scope and content, each seeking to appropriate it for their own often conflicting aims.[10]

If human rights were "stillborn" at the founding of the United Nations, then self-determination was on life support. It had emerged from World War II

as a "morally and politically bankrupt" principle, its legitimacy "shattered by Hitler's genocidal war for an ethnically homogeneous greater Germany."[11] Despite Soviet and Latin American efforts, US and British officials succeeded in relegating self-determination to a principle rather than a right in the UN Charter. The US determination to wield military dominance through a global network of military bases, moreover, birthed a global political system with hundreds of zones of semi-sovereignty where self-determination was a chimera. Prior to 1950 self-determination had virtually no standing in international law, and efforts to codify it raised questions at the heart of the state-based post-1945 international order: the definition of peoples and nations; the meaning and content of political and economic sovereignty; and the rights of dependent peoples, among others. Self-determination would need to be reimagined if it were to serve as a useful principle of decolonization.

This chapter argues that the reinvention of self-determination after 1945 was the product of both top-down international politics, in the United Nations and other spaces of global governance, and bottom-up claims by anticolonial and substate and nonstate movements. Early efforts to codify self-determination from above took place in the United Nations' Fourth Committee, which was charged with overseeing trust territories. There Britain, France, the United States, and New Zealand drafted trusteeship agreements that spelled out how they would enact the mandate of the trusteeship system to provide progressively more self-government for the territories under their control. After passage of the UDHR in December 1948, the Commission on Human Rights (CHR) and the General Assembly also became important sites for debating the relationship between self-determination and human rights. There the Soviet Union and the socialist states of Eastern Europe generally sided with anticolonial movements. In their view, colonized peoples had a right to independence and even secession. While calling for the immediate independence of colonial territories, however, Soviet and, later, Chinese officials insisted that their citizens had already exercised the right to self-determination by entering the socialist phase of history.[12]

The meaning of self-determination also percolated from below in trust territories like Western Samoa, amid anticolonial struggles in South and Southeast Asia, and in the transnational solidarity, anticolonial, and internationalist networks that supported them. Debates emerged during constitutional negotiations in India, Indonesia, Sri Lanka, and Burma over the

meaning of citizenship and the politics of minority representation, and in disputes at the United Nations over the future of Mandate Palestine and Southwest Africa, among other places. Transnational solidarity was an especially crucial vector for the circulation and vernacularization of self-determination claims and discourse. Participants distilled the complexities of far-off struggles into a language of rights and freedom whose meaning seemed self-evident to supporters. When the Community Progressive Negro Painters Union urged New York Mayor William O'Dwyer to support African liberation struggles and to give Black people jobs to guarantee "their own SELF-DETERMINATION!" they underscored the connections that oppressed peoples in many parts of the world saw between local and global struggles.[13]

The colonial powers had their own, more limited vision of self-determination. They viewed it as a project of containment to be steered along limited, liberal political lines that did not imply independence in the near term (or at all, in some cases), much less economic or cultural sovereignty. The creation of the UN trusteeship system, and the forging of a multilayered system of semi-sovereignty by the United States and other imperial powers after 1945, vividly illustrates the open-endedness of the project of self-determination. Over the course of the next decade the United States, Britain, France, Belgium, and other colonial powers waged a fierce, multi-front battle to deny the far more capacious understanding advanced by anticolonial movements and their supporters.

The Samoan Precedent

Debates over the political future of Pacific island and former League of Nations mandate territories like Western and American Samoa, Guam, the Marshall Islands, and French Polynesia helped to establish the boundaries of international discussion over the scope and meaning of self-determination. As the first UN trust territory, Western Samoa was particularly important. The League of Nations had allocated the former German territory of Western Samoa to New Zealand in 1920 as a Class C mandate. Samoan nationalists utilized the Mandates Commission petition process to mobilize around demands for independence or self-rule, citing their long history of self-government. In 1927 local Europeans and Samoans organized the League of Samoa, known as the Mau, and launched a campaign of

civil resistance against New Zealand rule and petitioned the Mandates Commission, with support from antiwar organizations such as the Christchurch-based New Zealand No More War Movement. New Zealand officials sought to repress the Mau until 1935, when the newly elected Labor Party government allowed them to participate in the local advisory council, known as the Fono of Faipule, and the legislative assembly.[14]

During World War II both Western Samoa and American Samoa escaped Japanese conquest, while the US naval station in American Samoa played an important role as a US communication and transport link in the South Pacific. More than five thousand US Marines arrived in early 1942 and remained for the rest of the war, while many Samoans served the US war effort in some capacity. As the United States began drawing down its forces from the islands, residents of both Western Samoa and American Samoa mobilized again to demand self-government, one manifestation of a post-war surge of political and cultural activism across the Pacific by Indigenous peoples determined to enact local visions of autonomy and self-determination.[15] In June 1944 Samoan businessman and Fonoti Ioane Brown presented a petition for self-government signed by more than eight hundred prominent local men to visiting New Zealand Governor-General Sir Cyral Newall. "The terms of the mandate have imposed on New Zealand the solemn duty of educating the Samoans to self-government," the petition declared, "and the terms of the Atlantic Charter express the same aim for the small nations of the world."[16] Six months later, Fonoti presented a similar petition to New Zealand Prime Minister Peter Fraser demanding increased Samoan participation in and control of local government ministries, the return of Crown estate lands and plantations to Samoan hands, and indigenization of local government. For the next two years New Zealand officials begged off the question, until the United Nations began discussing the formation of a Trusteeship Council to oversee trust territories.

Though the clear descendant of the League of Nations Mandate System, the UN trusteeship system and Trusteeship Council departed from it in important ways. At US insistence, the UN Charter authorized trust powers to construct bases and other fortifications on trust territories in the name of "international peace and security," a clear diminution of their sovereignty. Anticolonial activists had won important concessions, however, since inhabitants of trust territories now had the right to directly petition the UN Trusteeship Council for redress of local grievances. The creation of the UN

trusteeship system raised a host of questions that could not be answered except in practice, as administering powers drafted trust agreements and inhabitants of trust territories began to make claims against it, either directly or through local activism and protest. South Africa forced international debate over these questions when Prime Minister Jan Smuts announced Pretoria's intention of annexing South West Africa rather than submitting a trusteeship agreement, prompting a global outcry among human rights organizations and in the General Assembly. Smuts retreated from annexation under pressure from India, but South Africa's refusal to submit a trusteeship agreement for South West Africa and its extension of apartheid to the territory after 1949 hinted at the limits of the United Nation's ability to enforce its anticolonial writ.[17]

Formation of the Trusteeship Council required agreement on a host of questions concerning the nature of trust agreements: how and by whom they would be approved, and which states had the right to weigh in. Before the Council's establishment, the administering powers of the eleven trust territories were required to draft agreements that "shall be agreed upon by the States directly concerned" and approved by the General Assembly.[18] The State Department initially took the position that Washington's global interests gave it a direct concern in the drafting of all such agreements. When British officials circulated a draft trusteeship agreement for Tanganyika in early 1946, for example, some State Department officials insisted that Washington should play a more direct role. Deputy Director of the Office of European Affairs John Hickerson shot down the idea. "If we take this position in regard to Tanganyika, we could scarcely deny a similar position on behalf of the United Kingdom and France in respect of the Japanese Mandated Islands," he wrote to Secretary of State Dean Acheson. "This might strengthen the case of the Soviet Union as a State directly concerned in regard to Pacific islands."[19] US Air Force and Navy officials likewise warned Acheson that "any assertions by the United States of direct concern in these territories might well serve as a precedent for other nations voicing their direct concern with respect to trusteeship for Pacific islands in which we have a definite strategic interest."[20] The US concern with foreign oversight stemmed not only from the wartime establishment of military bases in the Pacific but also from the US military's looming program of atmospheric nuclear testing in the Marshall Islands and forcible relocation of their Indigenous inhabitants.[21] British officials shared similar concerns, having recently forcibly removed the entire Indigenous population of

Ocean Island in the Gilbert and Ellice Islands so that the British Phosphate Commission could begin strip-mining operations.[22]

The trust powers faced a dilemma as they began drafting trusteeship agreements in early 1946. Article 76 of the UN Charter described the basic objective of trusteeship system as progressive development of territories "towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples, and the freely expressed wishes of the people concerned." Negotiations, however, revealed myriad contradictions in the system's layered conception of semi-sovereignty.[23] The drafting process highlighted the developmental, racial, and cultural assumptions about inhabitants of trust territories, their fitness (or not) for self-government, and the institutional and behavioral requisites for termination of trusteeship. These concerns could not be cordoned off from the far broader and more consequential challenges of "dependent areas" where anticolonial movements were gaining steam.[24] Director of the UN Trusteeship Division Ralph Bunche noted that Australia's proposal for New Guinea contained far weaker mechanisms for self-government than Western Samoa, whose residents had been mobilizing for self-government for decades. Australia's UN representative responded that "the Stone Age" conditions in Papua New Guinea were "extremely different from that of the inhabitants of Western Samoa."[25] Even sympathetic media like the Sydney-based *Pacific Islands Monthly* employed racist and civilizational tropes about happy, bronze-skinned, barely clad natives unable to adapt to the modern world and unfit for self-determination. Ivor Thomas, leader of the UK delegation to the 1947 South Seas Conference, spoke for most Western attendees when he dismissed the prospect of independence for Britain's Pacific territories by warning that "self-government was not a gift to be handed to a primitive people on plate."[26]

Every trusteeship agreement had potentially global implications, as US officials realized when they debated one for Japan's former Pacific mandate territories. State Department and military officials insisted on unilateral control and exclusion of the Soviets and other UN members more generally from oversight of these former Japanese islands.[27] US unilateralism stemmed from postwar plans for a string of bases across the Pacific, many of them islands captured from the Japanese during the Pacific war or former League of Nations mandate territories. As the war drew to close, US officials signed agreements with Britain, France, and Portugal to maintain control of bases acquired during the war, accelerated construction of bases throughout the Pacific in an attempt to preempt the UN Trusteeship Committee,

and insisted on language permitting military installations in trust territories. The Truman administration extracted similar concessions from the Philippines as a condition of independence. Former President Sergio Osmeña called the 1947 Military Bases Agreement, which gave the United States control over military bases it established there, "a virtual nullification of Philippine independence."[28] The US Congress, meanwhile, introduced legislation to extend citizenship to trust territory residents and transfer authority over them from the navy to the Interior Department, a proposal supported by anticolonial liberals like former Interior Secretary Harold Ickes and organizations such as the Institute of Ethnic Affairs and the Institute of Pacific Relations.[29]

Samoan sovereignty fell victim to US military concerns. The State War Navy Coordinating Committee identified Faleolo airfield, built by the US Navy in 1942 on the island of Upolu, as a crucial link in its postwar Pacific base network. The Truman administration closely consulted with New Zealand officials as they began drafting a trusteeship agreement, pressing for base guarantees and stressing their importance for regional security. New Zealand External Affairs Minister Alister McIntosh acknowledged that Samoans would be outraged if Auckland inked a base deal with Washington without their input, but "it was perfectly clear that…the United States would in effect possess the rights in which it was interested."[30]

Governments around the world reached similar conclusions. In 1949 Washington had 582 overseas military bases; less than a decade later it occupied more than 1,100. On October 28, 1946 New Zealand submitted a proposed trusteeship agreement for Western Samoa containing the preferred US language on establishment of military bases. The agreement pledged New Zealand to "promote the development of political institutions suited to Western Samoa" and provide "a progressive increasing share of the administrative and other services of the territory."[31] There was no mention of independence.

Inside New Zealand, press coverage lauded Wellington's benevolence and concern for the Samoans, whose "natives have marched a considerable distance on the road to self-determination."[32] As the first Trusteeship proposal brought before the Fourth Committee, the proposed agreement for Western Samoa generated unusual attention.[33] India and the Soviet Union objected to the bases provision of the proposed agreement and demanded that any bases be under the control of the Security Council, a proposal hotly denounced by Britain, Australia, and New Zealand.[34]

Inside Western Samoa, where the bitter memory of two decades of unfulfilled demands for self-government lingered, the trusteeship proposal prompted outrage. On November 18, 1946, more than one hundred Samoan leaders representing the Fatua, Legislative Council, judges, and other elites submitted a petition to the administrator of Western Samoa denouncing the agreement for bringing the territory "no nearer to our ultimate aim of self-government for which we have earnestly and consistently striven under the Mandate." The petition called for self-government on the basis of the Atlantic Charter and an end to "the unnatural division of the islands of the Samoan group" by the administering powers.[35] One Samoan leader suggested Tonga as a possible model of a territory "where self-government was established before they had any qualified people," insisting that "so long as we have self-government we can employ anyone from any part of the world."[36] European residents of Samoa were more sanguine about continued trusteeship. One told territorial Administrator Colonel F. W. Voelcker that "a democratic system of self-government is impossible until the Samoan social and political systems emerge from their present state and develop into something more in accord with modern ideas," perhaps in fifty years or so.[37] After weeks of debate and a blizzard of (mostly unadopted) proposed revisions, the Fourth Committee accepted trusteeship agreements for Western Samoa, New Guinea, Rwanda-Burundi, British and French Cameroon, British and French Togo, and Tanganyika. In April 1947 the Trusteeship Council also recommended a mission to investigate the Samoan petition.

The UN mission to Samoa, the first sent to investigate the merits of a petition by inhabitants of a trust territory, marked an important moment in the history of decolonization. It validated the petition process as a vehicle for anticolonial claim-making and the Trusteeship Council as a site of contestation, lighting a path that tens of thousands of petitioners would follow. The mission also forced the Trusteeship Council to begin defining when a territory had attained an adequate measure of self-government, a process with wide-ranging implications for all non-self-governing territories.[38]

From July 9 through August 28 the mission met with a wide cross-section of Samoan society, including many petition signatories as well as European residents opposed to immediate self-government. Its report noted that, "while the desires of the Samoans in part reflect the world-wide modern nationalist spirit which opposes all alien rule as such, they are also strongly marked by the grievances which the Samoans feel against the particular forms

of foreign rule under which they have lived for the last fifty years." The mission, however, dismissed Samoan complaints as a failure to understand the progressive ambitions of the trusteeship agreement, rather than as a reflection of genuine grievances. Members also claimed that Western Samoa's dearth of trained personnel, state institutions, and administrative capacity precluded immediate self-government. Political scientist and UN Secretariat member Lawrence Finklestein suggested that Samoans "had no well-formulated programs for administering the country." British diplomat Sir Isiah Crosby agreed, arguing that "self-government is inconceivable for any country nowadays which does not possess an intelligentsia of its own, sufficiently educated to be capable of conducting an administration with a minimum degree of efficiency in accordance with modern and progressive notions of statecraft."[39] Samoa's final trusteeship agreement obligated New Zealand to hand over "increasing responsibilities in self-government" to Samoa while granting it the right to exploit resources, establish military bases, and govern the territory in ways hardly distinguishable from formal colonialism.[40]

The debate over Samoan trusteeship established a precedent for other trust powers. It also highlights a crucial dynamic in the history of self-determination. While Pacific peoples were largely excluded from consideration in San Francisco, the drafting process of the UDHR, and early General Assembly debates over the meaning of self-determination, they helped inscribe the outer boundaries of debates over the geographic, cultural, political, and developmental requisites for self-government and state sovereignty. They constituted, as Australian historian Duncan Hall put it, "a great frontier zone," a "no man's land into which the interests and policies of more than one Great Power penetrate" and where the interests of the Indigenous inhabitants were irrelevant.[41] Debates over the fate of Western Samoa, American Samoa, and other Pacific island territories also highlight the unwillingness or inability of the UN system to envision conceptions of self-determination and sovereignty rooted in culture and Indigenous identity rather than colonial boundaries. A 1947 US Navy study of popular attitudes in Guam and American Samoa, for example, described "pervasive… unhappiness and discontent" over the disruption of economic, cultural, and kinship networks produced by territorial division, the confiscation of Indigenous land for US base-building, and the militarization of island life.[42] Formal decolonization would in many cases merely deepen such discontent.

Though convinced that most Pacific island territories and peoples were unprepared for independence, in 1947 Britain, France, the United States,

the Netherlands, Australia, and New Zealand created the South Pacific Commission, whose ostensible purpose was to provide a forum for the peoples of Oceana, Micronesia, and Melanesia to address common concerns. The commission's larger goal was to forge a "South Pacific" identity among Pacific Islanders thought to be too linguistically, politically, and culturally diverse to form independent states.[43] The commission included West New Guinea political leaders Nicolaas Jouwe and Markus Kaisiepo, the former president of the New Guinea Council, who lobbied members to support their demands for self-determination. It aimed to increase local participation and improve economic welfare while demonstrating that "undeveloped and under developed areas do not have to embrace a chimera of independence to gain self-government and economic and social advancement."[44]

The Indonesian Crucible

If Western Samoa and the Pacific island territories highlighted the difficulties facing the United Nations in defining the terms of trusteeship, the Indonesian independence struggle sharply illuminated the contested meanings of self-determination within the first wave of anticolonial struggles after 1945. Nationalist and independence leaders in Indonesia, India, and the Philippines sought to preserve the cohesiveness and territorial integrity of former colonies as they transitioned to statehood. Meanwhile, ethnic, religious, and regional minorities deployed self-determination claims in pursuit of autonomy, federation, or outright independence.

Like many East and Southeast Asian nationalists, cosmopolitan Indonesians participated in the transnational circulation of anticolonial solidarity from the 1920s through the 1940s. Indonesian nationalists, Communist (Partai Komunis Indonesia), and Socialist Party (Partai Sosialis Indonesia) members read translations of Woodrow Wilson, Stalin, Lenin, and Sun Yat-sen, prominent Communist intellectuals like Tan Malaka, and Dutch Social Democratic and Labor Party members offering their interpretation of liberal, socialist, and Communist positions on self-determination.[45] Indonesian nationalists like Sutan Sjahrir, Sukarno, and Mohammed Hatta admired Wilson and framed World War II "as a war waged in name of self-determination and the ideals of the Atlantic Charter" and as a fulfillment of Wilson's long-delayed promises to smaller, weaker nations. By the time

Sukarno and Hatta proclaimed Indonesian independence on August 7, 1945, Indonesians had already vernacularized self-determination (*penentuan nasib sendiri*) as a slogan animating the national struggle.[46]

Indonesia's independence struggle sparked a wide-ranging international solidarity movement that built on the transnational ties forged during the Pacific war.[47] It brought together Indonesian migrants and laborers stranded in foreign ports, students studying in the Middle East, former Allied soldiers who had served in the region, labor unions (especially longshoremen), European Labor Party activists, and anticolonial and civil rights organizations. Shortly after Sukarno and Hatta declared independence, Indonesian Americans, many already involved in anticolonial organizing, formed support committees in New York, Los Angeles, and San Francisco and launched a newspaper, *The Indonesian Review*, to report on solidarity activities around the world and appeal to liberal anticolonial sentiment. The San Francisco Committee for a Free Indonesia published a widely distributed pamphlet, *Why the Indonesians Revolt*, that asked, "Will the Atlantic Charter be applied to such a colony as Indonesia? Will the United Nations assist Indonesia's aspirations for self-determination?"[48] When Indonesian merchant seamen in New York City went on strike and refused to load US weapons onto Dutch ships headed to Indonesia, the National Maritime Union announced its support, prompting sympathy strikes at other US ports.[49] Maritime unions in Australia, the Netherlands, India, Singapore, and Australia followed suit, engaging in periodic work stoppages over the next four years and demonstrating the importance of international labor in Asian and African anticolonial struggles.[50] In late 1945 the Congress of the World Federation of Trade Unions passed a resolution supporting Indonesian independence, noting that it had "always upheld the rights of people to self-determination and has always opposed the exploitation of colonial peoples by imperialist powers."[51] Thousands of Indonesians living abroad also engaged in informal diplomacy on behalf of the fledgling republic. Many were religious students living in Cairo and Mecca who "used Islamic brotherhood as a key pillar of their outreach," portraying the Indonesian revolution as one front in a broader Islamic struggle for independence from Western imperialism.[52]

Black internationalists and organizations like the National Association for the Advancement of Colored People proved to be staunch supporters of Indonesian demands for self-determination. W. E. B. DuBois connected John R. Andu, an Indonesian American living in New York City and

founder of the Indonesian League of America, with anticolonial, labor, civil rights, and Communist Party activists and affiliated groups like the Southern Negro Youth Congress, the Committee for a Democratic Far Eastern Policy, and Congress of American Women. In the cafes and restaurants near the future site of the United Nations, Andu met fellow transnational activists from the West Indies Emergency Committee, the Provisional World Council of Dominated Nations, and the One World Association, as well as from Puerto Rico, India, South Africa, Jamaica, and Nigeria.[53] The NAACP lobbied the US Congress and United Nations and hosted Indonesian speakers around the country who portrayed Indonesia's independence struggle as a fulfillment of the Atlantic Charter's promises and US support for colonized peoples across the globe.[54] The transnational solidarity movement's ceaseless invocation of Indonesia's (and other colonized peoples') right to self-determination, years before the United Nations formally took up the question, highlights its emergence as a form of subaltern internationalism, an "emotive expression of solidarity" as much as a legal claim, percolating through global politics from the bottom up.[55]

Self-determination carried distinct and contradictory meanings inside Indonesia. Debates over the structure of a possible postcolonial state revealed bitter divisions not just between Indonesian nationalists and the Dutch but also among internal opponents who advanced alternative visions of sovereignty. The 1945 constitution, adopted the day after independence, proclaimed Indonesia as a unitary republic encompassing the whole of the former Netherlands East Indies, but with a provincial structure conferring, at least in theory, substantial regional autonomy. Nationalist leaders such as Sjahrir presciently criticized the 1945 constitution as an insufficient guarantor of the rights of ethnic and regional minorities.[56] The document was, in any case, highly aspirational; Republican forces controlled only parts of the archipelago in 1945, and over the next five years faced regional movements in Aceh, West Java, West Papua, and the Moluccas. Fearful of a unitary state dominated by the densely populated island of Java, these regional activists sought autonomy, independence, or the creation of an Islamic republic. While Republican forces enjoyed widespread support on the main islands of Java and Sumatra, Dutch forces established control in the outer islands and formed the state of East Indonesia in 1946, retaining the loyalty of a range of ethnic and religious minorities who had enjoyed a privileged position under colonial rule.

As the Dutch embarked on a military campaign to reconquer the archipelago, Republican forces looked to the new United Nations for support. In

October 1945 Amie Sjarifuddin, minister of information of the unrecognized republic, called for the United States and United Nations to broker negotiations with the Netherlands on the basis of Indonesia's right to self-determination. A few months later the UN Security Council refused a request by Ukraine's UN ambassador to apply the Atlantic Charter to Indonesia and force the withdrawal of Japanese, British, and Dutch forces. The Hague responded by offering Indonesia commonwealth status and the promise of "self-determination in our time."[57] Governor General Hubertus van Mook's later proposals for a federal state explicitly sought to undermine the republic, holding out local autonomy for Indigenous minorities fearing domination from Java. This included the Sundanese of West Java, who in late 1946 formed the Dutch-backed Pasundan Peoples Party and six months later proclaimed a short-lived state in West Java.[58]

Decolonizing states everywhere, but especially in South and Southeast Asia, faced daunting challenges enumerating and protecting the rights of new citizens.[59] As was the case with new nations emerging after 1919, the status of minorities became a prism through which new heterogeneous states debated the meaning of rights and nationhood.[60] British, French, and Dutch legal traditions made individual citizens the bearers of rights, and colonial officials encouraged postcolonial constitutions that would guarantee individual rights. But they aimed neither to define nor to explicitly protect ethnic, religious, or linguistic minorities, believing that individual rights guarantees within a federal system were sufficient. Burma's Anti-Fascist People's Freedom League, for example, called for the protection of minority rights through a democratically elected constituent assembly, a political structure that Karen, Mon, and Shan ethnic leaders feared would lead to permanent political marginalization. Nationalist leaders like Aung San warned that expansive self-determination claims "would lead to the absurd result that ultimately each individual will be able to form an individual state of its own."[61] San wasn't far off. The year after Burma became independent, the separatist Karen National Union emerged, calling for the "establishment of a Karen state with the right to self-determination" and citing the Karen's unique language, culture, history, and national identity, under threat from an oppressive Burmese majority.[62] Most famously, the All-India Muslim League insisted that a postcolonial Indian constitution that did not guarantee Muslims group rights would lead to their permanent disfranchisement, thereby necessitating the creation of a separate Muslim state.

Constitutional drafting processes thus became crucial sites of conflict over contending visions of self-determination: internal versus external, unitary versus federal, and individual versus minority or group rights. The quasi-federal arrangements in many postcolonial constitutions "invented political geographies that folded minorities into federal unions" while creating individual rights-bearing citizens. These schemes, far from resolving political tensions, often served as inflection points for those who felt betrayed by the results.[63] Disputes over minority rights in postcolonial state-making rippled through international politics at all levels, from Pakistan to Palestine. Abba Eban of the Jewish Agency for Palestine spoke for many when he told the UN Trusteeship Committee in 1948 that the solution to the "problem" of minority rights in heterogeneous states "could not be by majority rule." European socialist parties, the Socialist International, and the Asian Socialist Conference (ASC) generally agreed. All supported self-determination for European colonies but bitterly divided on the question of minority rights in postcolonial states. The ASC opposed minority rights and federal schemes of representation as neocolonial ploys to weaken or fragment decolonizing states.[64]

Indonesia's decolonization and constitution-drafting process highlights how debates over citizenship rights and governance could propel minority group self-determination claims. Ultimately, Indonesia's 1945 constitution vested rights in citizens as individuals rather than as members of ethnic, regional, or religious groups, with the exception of state-acknowledged but ill-defined "traditional" communities, whose practices and rights were to be respected "in conjunction with progressing times and civilization."[65] Four years of civil war and protracted negotiations finally produced the Round Table Agreement of 1949, which created a federated Republic of Indonesia alongside four Dutch-aligned states and numerous other directly ruled territories. All could in theory vote to join the republic, the United States of Indonesia (USI), or strike out on their own. These included East Indonesia and West New Guinea, the latter of which Dutch officials argued was racially and culturally distinct enough to merit self-determination in its own right. The 1949 Indonesian constitution incorporated the rights provisions of its 1945 predecessor (and much of the UDHR) and created a federal state linking full citizenship to the practice of religion.[66]

Indonesia's postindependence government spent its first years struggling to consolidate political control over Java and Sumatra and building support for abandonment of the federal project. On August 17, 1950, the Indonesian

parliament announced a new constitution that absorbed the former constituent parts of the USI, creating a new unitary state. Sukarno quickly dispatched military and administrative forces to assume control of the newly absorbed provinces. Dutch officials complained that the new system violated the Round Table Agreement, which granted regional minorities autonomy and the right to plebiscites on their political future. Vice President Mohammed Hatta responded that the creation of a unified state already constituted "a de facto exercise of the right of self-determination."[67]

The Round Table Agreement and later abandonment of a federal system sparked widespread protests among groups whose visions for postcolonial self-determination extended beyond participation in a unitary nation-state. The most important was the Darul Islam rebellion, launched on August 7, 1949, by Sukarmadji Maridjan Kartosuwiryo, a leader of the Sarekat Islam, a pan-Islamic organization that opposed Dutch colonialism and called for a regional Islamic state. Kartosuwiryo called on Indonesian Muslims to "pursue the Islamic revolution until such time as the Islamic State was established in Indonesia," and as part of the broader Indonesian struggle for independence.[68] On the eve of Indonesian independence he declared the Negara Islam Indonesia (Islamic State of Indonesia) and his opposition to the secular nationalist vision of Sukarno. In late 1951 Darul Islam supporters in Sulawesi proclaimed their support for the Islamic State of Indonesia, and in September 1953 Acehnese leaders joined them.

The Darul Islam revolt in Aceh illuminates how self-determination claims and discourses rippled through the first wave of decolonization struggles fractured by national, local, ethnic, and religious identities. Long a center of Islamic scholarship due to its strategic location astride the straits of Malacca, Aceh's rulers fiercely resisted Dutch colonization efforts, and the province emerged as a hotbed of revolutionary activity after 1945.[69] Though Indonesia's 1949 constitution provided for substantial regional autonomy, the new government resisted Acehnese officials' demands for the local implementation of Islamic law, preferring to regularize administrative and legal authority throughout the archipelago. In August 1950 Jakarta abolished Aceh's self-declared provincial status, incorporated it into the larger, Christian Batak–dominated province of Northern Sumatra, and began replacing local officials. Amid mounting tension with the Sukarno government, Aceh Governor Mohammed Daud Beureueh announced in 1953 that Aceh was "separating" from Indonesia and joining Kartosuwiryo's Islamic State of Indonesia. The formation of the Islamic State launched a

new front in the Darul Islam rebellion that would last until Kartosuwiryo's capture in 1962.[70] The Darul Islam's political leaders saw the Indonesian revolution as a vehicle for achieving national liberation, but they envisioned a national identity founded on religious identity and observance rather than on secular nationalism.[71] The Darul Islam shared similarities with Pakistani brethren as well as pan-Islamic movements of the Ottoman Empire, which also defined the national community in religious terms and popularized "a notion of self-determination for the whole Islamic world" that was simultaneously territorial and transnational.[72]

Minority Christians in the Moluccan Islands of eastern Indonesia, more popularly known as the Spice Islands, launched a similar rebellion reflecting regionalist, religious, and ethnic concerns. The Moluccan crisis grew out of efforts by Dutch officials to recruit loyal soldiers and civil servants for the Royal Netherlands East Indies Army (KNIL) from minority communities on the island of Ambon and other Christian-dominated regions.[73] After 1945 Dutch forces returned to Ambon with little resistance and encouraged the formation of local political organizations like the Perkoempoelan Kebangsaan Moloekoe (Moluccan National Association) that demanded self-determination for eastern Indonesia. They also directly created the Dewan Maloekoe Selatan (South Moluccan Council) and for the first time recognized a "South Moluccan" identity.[74] Pro-Dutch Ambonese, Moluccans, Acehnese, and Sundanese saw the agreements leading to independence as a guarantee of their rights to self-determination and as protection against a Java-centered Indonesian federation. Dutch officials emphasized their support for self-determination and minority rights and called for regional plebiscites, both to appeal to conservative public opinion at home and in the hope that areas with large Christian minorities "might opt for a different status once they were free to speak for themselves." This prospect unnerved State of East Indonesia officials in Makassar, who "had objections to the self-determination clauses in its own constitution" and opposed votes that might reveal strong support for secession. Loyalist Ambonese established a Comite ter Bestudering Status Maloekoe Selatan (Committee to Study the Status of South Moluccas) and wrote to Queen Juliana affirming their desire to pursue independence. A significant minority, however, supported the central government and its goal of a unitary state, creating divisions that the Indonesian government hoped to exploit.[75]

Dutch leverage over the Republic of Indonesia dissipated with independence, and Moluccans who had previously supported association with the

Netherlands feared retribution. Of the nearly twenty-five thousand Moluccans in the KNIL nearly fourteen thousand moved to the Netherlands. The several thousand who remained in Ambon soon clashed with Indonesian soldiers as the central government began asserting control over the outer islands. In his first speech before the Indonesian parliament in February 1950, President Sukarno called Indonesia's 1949 constitution temporary, prompting US officials to worry that "the self-determination issue may be subjected to critical international scrutiny with important consequences [for the] RUSI," and especially West New Guinea.[76]

Many Indonesian nationalists rightfully viewed postcolonial federalism as a Dutch bid to fragment and undermine the new state. But the central government's attempts to consolidate control provoked the very response it hoped to avoid. On August 17, 1950, Sukarno declared Indonesia a unitary republic and the parliament passed a new constitution abolishing the federal structure. The Netherlands high commissioner protested vainly that the new constitution violated the rights of the former constituent states of the USI to self-determination.[77] Indonesian troops quickly moved in to assert control of the former State of East Indonesia, arresting regional leaders such former KNIL officer Abdul Andi Azis, who commanded thousands of followers. His supporters responded by declaring the independence of the Republik Maluku Selatan (Republic of South Maluku, or RMS), "emphasizing the right of self-determination as the RMS leaders interpreted it from the Denpasar, Linggadjati and Round Table agreements."[78]

With no hope of defeating the Indonesian army, RMS leaders pinned their hopes on gaining international recognition as a legitimate state in waiting with a right to self-determination. Javanese troops quickly took control of Ambon and scattered RMS forces, who would engage in sporadic military operations for the next nine years. Undeterred, RMS leaders formed a government in exile, a diplomatic corps, and information service. They lobbied governments, international organizations, and transnational religious networks, arguing that an emerging body of international law rooted in the UN Charter affirmed their status as "peoples" with the right to both "internal" and "external" self-determination separate from Indonesia. They even created stamps to appeal to American and European philatelists.[79]

Indonesian diplomats, having spent the previous five years making an expansive case for self-determination, now shifted tactics. They instead narrowed its meaning to an act of decolonization encompassing the entirety of the former Netherlands East Indies and rejecting the idea of secession.

Sukarno dispatched Health Minister Johannes Leimena, an Ambonese Christian, in an unsuccessful attempt to negotiate the surrender of RMS forces. Leimena drafted an appeal to the World Council of Churches, arguing that the Moluccas had already exercised their right to self-determination when Indonesia became independent and that the 1949 constitution expressly forbid secession. More suggestively, Leimena argued that Moluccans "have to be good Christians and good Indonesian citizens at the same time," subordinating their religious identity to the task of building a new nation.[80] To UN members and regional neighbors, Jakarta characterized the RMS movement as a challenge to its internal sovereignty, a Dutch plot to fragment and weaken Indonesia, and a movement with ominous implications for other postcolonial states.[81]

Moluccan diplomats rejected these claims and sought to invent a new postcolonial geography in which they too counted as a nation. Within days of declaring independence, exiled Moluccan lawyer Karel Nikijuluw established a Republic of South Moluccan "mission" in New York and began lobbying the US and other Western governments for recognition.[82] In a series of pamphlets circulated in Western capitals, he and Moluccan law professor P. W. Lokollo made the case for the Moluccan people's status as a "nation," condemned Indonesia's failure to live up to its legal commitments, insisted on the impossibility of "internal self-determination" under unitary Indonesian rule, and defended South Molucca's external right to self-determination under the UN Charter.[83] First, Lokollo noted, "The Moluccans who are Melanesians differ basically from the rest of Indonesia, both racially and historically," and constituted a distinct "people" under international law.[84] Sympathetic Dutch courts to whom the RMS appealed for recognition agreed. In November 1950 a district court in Amsterdam heard a case to determine whether a Dutch company could deprive an Ambonese businessman of export duties he claimed should go to him as a citizen of the RMS rather than to the Indonesian government. The court ruled that "in view of the great differences in racial character between the peoples of the South Moluccas and the other peoples of the (East) Indian Archipelago, especially the population of Java, it must be presumed that the territory of the South Moluccas was qualified for a designation" as an independent state. The following February a court of appeals judge agreed, concluding that the Moluccas "by reason of its geographical situation and the race, culture, and common interests of its population, formed a natural and organic unity, with its own local system of government."[85]

Republic of South Molucca supporters also insisted that Indonesian and Dutch officials had already recognized their right to self-determination. The Linggadjati agreement of March 1947, for example, stipulated that the former Dutch East Indies would become a federal state whose component parts would decide for themselves whether to join the Republic of Indonesia or establish a new relationship with it or the Netherlands. The 1948 Renville Agreement incorporated similar language, pledging that "free elections will be held for self-determination by the people of their political relationship to the United States of Indonesia." The 1949 Roundtable Agreement held that citizens of the USI would be able to accept or reject the constitution—that is, "to remain a part of the Republic or to withdraw from it."[86]

The Indonesian government's abandonment of federalism and establishment of a unitary state, RMS officials insisted, deprived the peoples of eastern Indonesia of the right to decide their political future through democratic means. Jakarta had not even held elections, much less plebiscites in which the outer islands could determine their relationship to the Republic of Indonesia and the Netherlands. As the Netherlands branch of the International Law Association concluded in 1950, "The possibility of realizing this right of self-determination in this manner was in effect taken away from the people by the creation of…a unitarian state for the whole of Indonesia." The South Moluccas therefore "had the right to effectuate the right of self-determination to which the population was entitled by international law, by proclaiming the Republic of the South Moluccas." In short, because the Indonesian government had denied the peoples of eastern Indonesia their right to "internal self-determination," they were justified in exercising their right to "external self-determination" by declaring independence. Speaking before the UN General Assembly in October 1952 with the Moluccas and West New Guinea in mind, the Dutch representative argued for the need to distinguish between internal and external self-determination. "The former was the right of a nation, already constituted as a State, to choose its form of government and to determine the policy it meant to pursue. The latter was the right of a group which considered itself a nation to form a State of its own."[87]

Though Moluccans and others were pressing for self-determination on the basis of the UN Charter, its standing as international law remained foggy and opaque. Supporters of the Republic of South Maluku and other self-described independence movements were engaged in a form of claim-making for a right that didn't yet exist. Four years later, political scientist Quincy Wright

told the American Society of International Law that there was still no consensus as to whether the UN Charter and General Assembly resolutions concerning the "right to self-determination" constituted positive international law. "The problem is a new one in history," the legal scholar Clyde Eagleton wrote in 1953, "for never before has the organized community of nations been called upon to decide—upon principle rather than by force—when a group is entitled to independence or to self-government or to economic sovereignty, or whatever that group means by self-determination."[88]

The United Nations and Self-Determination

When the newly formed UN Commission on Human Rights met for the first time in January 1947, self-determination was literally and figuratively not even on the agenda. As at the San Francisco conference, the United States and other colonial powers sought to sidestep the rights of people in non-self-governing territories and confine discussion to the narrow spectrum of individual rights in UN member states. State Department officials strategizing for the preparatory committee establishing the CHR did not even list self-determination as one of more than thirty possible rights for inclusion in an international bill of rights.[89] Some observers already felt that the aspirations of trust territories were getting out of hand and that the United Nations was poised to repeat the mistakes of the League of Nations era. "The wine of independence is a heady draft for primitive peoples and unruly groups quite unfitted to posture as sovereign states," British analyst Robert Holland warned in *Foreign Affairs*. "Fanatical self-determinationists seem to forget that the indispensable prerequisite for the stability of democratic institutions is supremacy of the rule of law; and that 'inter dependence,' not 'independence,' must be the key to the prosperity and welfare of the world's peoples."[90]

The membership of the CHR, however, suggested that it might rectify the San Francisco meeting's marginalization of self-determination. Indian delegate Hansa Mehta, one of two women on the commission, was a fierce advocate of both women's rights and Indian independence.[91] Chilean lawyer Hernan Santa Cruz was a leading Latin American human rights advocate and proponent of economic self-determination.[92] Carlos Romulo of the Philippines and Lebanese delegate Charles Malik shared Mehta's and Santa Cruz's anticolonialism, and Romulo had advocated for inclusion of

the right to self-determination in the UN Charter.[93] But they were hamstrung by the initial draft produced by the US-appointed director of the Human Rights Division of the UN Secretariat, John P. Humphries, by the exclusion of civil society groups, and by US and Soviet determination to make the UDHR an aspirational statement of principles rather than an enforceable document.

At the end of the CHR's first session in February 1947 the UN Secretariat tasked Humphries with preparing an initial draft as well as gathering background materials from international legal scholars. The CHR held its first meeting to discuss Humphries's draft in June and spent its next session, in December, discussing a follow-up draft prepared by Rene Cassin and debating proposed amendments. During this session NGOs with UN consultative status and other member states offered comments on the draft. During the third session, held from May 24 to June 18, 1948, commission members engaged in often bitter debate about the question of implementation and the shape of anticipated enforcement covenants, before submitting the draft to the Third Committee, which held scores of meetings to discuss 168 proposed amendments. The General Assembly finally voted to adopt the UDHR on December 10, 1948.

Though the CHR had no power to accept petitions or respond to individual complaints, individuals and organizations from around the world viewed it as a possible site of redress and flooded it with missives, resolutions, and complaints, hoping to shape the international bill of rights and suggesting a broad global human rights imaginary. The US-based Council on African Affairs in late 1946 mobilized supporters to write to the commission opposing South African annexation of South West Africa and supporting the Indian petition against discrimination in South Africa.[94] Scores of organizations from the United States and around the world submitted drafts and suggestions. The National Catholic Welfare Conference (NCWC) drafted its own "Declaration of Human Rights" that, while taking no clear stance on the colonial question, endorsed the right of self-determination "for all peoples that are capable of self-government" and the right of states "to independence in the determination of its own domestic and foreign policies."[95] The NCWC, like many US-based organizations, adopted a liberal position: Self-determination was a right of states, premised on sovereign equality, conditioned by capability, and aligned with the goals of the trusteeship system.

As the CHR discussed the draft declaration, UNESCO convened a symposium to explore the philosophical basis of human rights in different

world regions and philosophical traditions. Symposium participants disagreed over whether or not self-determination was a human right fit for inclusion in an international bill and whether it should be viewed as an individual or group right of peoples or nations, however defined. French philosopher Jacques Maritain expressed skepticism of collective conceptions of rights that did not place "the free self-determination of the person" at their center. Confucian scholar Chung-Shu Lo suggested that an international bill should be simple and contain three core rights: the right to life; the right to self-expression; and the right to enjoyment. "In order to contribute fully to the society, each individual should have the fullest degree of self-expression," Lo argued. "Social progress depends on each individual's freedom of expression," and "the right of national groups to self-determination is also a form of self-expression."[96]

While members of the CHR acknowledged the anticolonial thrust of many self-determination claims, most contributors to the UNESCO report refused to frame them in this context. Anthropologist and Anglican clergyman A. P. Elkin, whose contribution made an early case for Indigenous self-determination, was a partial exception. Speaking as president of the paternalist Association for the Protection of Native Races, he rejected civilizational arguments for permanent trusteeship and insisted that "primitive peoples have a fundamental community right to political self-determination," including freedom of religious belief and practice and control over land and resources.[97] Anticolonial writer and journalist Leonard Barnes likewise did not call for self-determination or independence, but rather for increasing measures of self-government. This was, in short, a highly constrained "universal vision" of human rights that drew on individual rights concepts in many countries and religions, but offered little succor to anticolonial nationalists.

The CHR drafting committee largely ignored the UNESCO report. On December 8, 1948, shortly before the final adoption of the UDHR in the General Assembly, the Soviet delegation proposed to include a clause stating, "Every people and every nation have the right to self-determination," noting that "establishment of that right was one of the major achievements of the internal policy of the USSR." The General Assembly roundly rejected the proposal, much to the relief of Human Rights Division Director John Humphrey. The UDHR's infamous silence on self-determination was an important reason that anticolonial movements seized on the Charter and not the UDHR as the ideological framework for national liberation

struggles. But decolonizing movements everywhere were already conflating the two. Many of the people and movements who denounced the relative weakness of the UN Charter's commitment to self-determination also recognized the UDHR's limitations. Saudi Arabia abstained from voting in favor of the UDHR, its ambassador, Jamil Baroody, explained, in part because of its silence on colonialism and failure to include the right to self-determination.[98]

The failure of the UDHR to engage the self-determination claims rapidly cascading through the colonial world reinforced the determination of its advocates to entrench it more firmly in the UN machinery and customary international law. Just six months after the adoption of the UDHR, the CHR returned to work. Advocates turned to the task of drafting binding enforcement covenants, consideration of which would stretch for the next sixteen years. At its first session, commission members debated many of the questions that would animate the drafting of the covenants for the next five years, especially the proposed inclusion of articles limiting their reach in federal states and dependent territories. The Soviet Union, frustrated in its attempts to include the right to self-determination in the UN Charter and the UDHR, proposed to include language in Article 20 declaring, "Every people and every nation shall have the right to national self-determination" and requiring all administering powers to promote the right in territories under their control.[99] The Soviet proposal was both a riposte to the United States and Great Britain, then attempting to limit the application of human rights in colonial areas and federal states, and a gesture of support for Baroody, who was emerging as one of the most effective human rights advocates in the CHR and General Assembly.

The Soviet proposal raised a host of questions that the United Nations had not yet answered: What exactly is self-determination? Who or what is a people or a nation? What were the implications of extending a right of national self-determination to all self-governing peoples? Soviet officials and Marxist writers framed Wilsonian self-determination as a reactionary, imperial construction whose aim was the creation of liberal, bourgeois, capitalist states still under the control of the colonial powers. Marxist debates over contemporary crises in Palestine, for example, centered on how to fit European Jewry and Palestinian Arabs into the "traditional Leninist conception of the national question," and whether liberal Zionists were stalking horses for British imperial interests.[100] The socialist critique of liberal self-determination, shorn of its dogmatic language, resonated

powerfully with many anticolonial thinkers and movements, who viewed colonial concern with minority rights, internal self-government, and support for federalism as schemes for weakening postcolonial states.[101] In many cases, these concerns were valid.

The UN Third Committee and the CHR would spend much of the next three years attempting to define the scope and meaning of self-determination. All participants, but especially the European colonial powers and the United States, understood the stakes. "The UN negotiations about self-determination," historians Roger Normand and Sarah Zaidi have observed, "served as a diplomatic proxy for the conflicts raging across the globe," including the deepening Soviet-US Cold War tensions, the Chinese Revolution, the internationalization of the Korean civil war, and a worldwide surge of anticolonial movements and activism.[102]

When the Third Committee convened in October 1950 to begin debating the follow-on covenants, pent-up frustration with US efforts to stymie discussion of self-determination erupted. In this setting Washington could not control the agenda. The Soviet delegate immediately criticized the draft covenant for failing to include the right to self-determination or guaranteeing minority linguistic and cultural rights.[103] Two weeks later, Jamil Baroody and Afghanistan's UN representative, Abdul Rahman Pazhwak, submitted a resolution directing the CHR to "study ways and means which would ensure the right of peoples and nations to self-determination" and to prepare recommendations for the General Assembly moving forward. Pazhwak's choice of words was deliberate, since Afghanistan had since 1947 been calling for a referendum on self-determination for Pashtun inhabitants of Pakistan's North-West Frontier Province. He implored the committee "to decide quite objectively whether or not the right of nations to self-determination was indeed a basic human right." "Unless the covenant contained an article ensuring the right of nations to self-determination," Baroody added, "it would merely encourage colonial and mandatory Powers to postpone indefinitely the establishment of equal rights among all nations."[104] On December 4 the General Assembly voted to accept the resolution and to prepare recommendations for future action.[105]

Over the course of 1951 the United States, Britain, France, and other colonial powers engaged in a fierce rearguard effort to block discussion of self-determination in the CHR. They insisted that the commission lacked the competence to address the issue and strongly opposed efforts by Latin American states to introduce discussion of economic self-determination

and permanent sovereignty over natural resources. In frustration, Afghanistan and Saudi Arabia joined Burma, Egypt, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Syria, and Yemen and proposed adding an article to the draft covenant stating simply that "all peoples shall have the right to self-determination." The General Assembly adopted the resolution on February 5, 1952, over the strong objections from the colonial powers.[106] Britain's ambassador to the United Nations warned London, "We are getting into a position of real danger when we allow the unholy alliance of the Soviet Bloc, the Latin Americans, and the Arabs to claim the credit for voting in favor of self-determination and against aggression, while we do the opposite."[107] The ambassador was right. The Arab-Asian group at the United Nations was already taking the lead in defining self-determination as the foundation of the decolonization process.[108]

Debate over the scope and meaning of self-determination occupied much of the work of the CHR and Third Committee in 1952. As the commission began its discussions in early April, Belgian delegate Joseph Nisot posed a series of fundamental questions: What is a people? At what stage of development should a people have right to self-determination recognized? Does a right to self-determination include secession or revolt?[109] Belgian officials unsuccessfully attempted to torpedo negotiations by insisting that self-determination should extend to Indigenous and minority communities within established states like the United States and Australia.[110] In response the Truman administration insisted on the "Blue Water Thesis" limiting decolonization to overseas territories. Two more years of debate over the scope and meaning of self-determination in the UN system would do little to resolve these questions.

The UN debates unfolded amid an outpouring of demands for self-determination from trust and other non-self-governing territories. Ewe residents of British and French Togoland sent more than 250 petitions to the Trusteeship Committee calling for independence and the merger of the two territories. Residents of British and French Cameroon requested the same.[111] Ethnic Samoan and European Samoan residents of Western Samoa demanded accelerated progress toward independence, prompting worries among New Zealand officials that recent resolutions on self-determination "would place in UN hands definition of when trust and non-self-governing territories are ready for self-government and according to what criteria."[112]

The flood of petitions prompted UN Secretary General Trygve Lie in late 1949 to direct the Committee on Information from Non-Self-Governing

Territories to develop criteria on the "factors to be taken into account in determining whether a territory is or is not self-governing."[113] French, British, and US officials loudly opposed these efforts, insisting that only administering powers could make such a determination. Belgium's ambassador argued that for aboriginal peoples "with a lower degree of civilization" such factors would be meaningless. In the case of the Pacific trust territories, the State Department insisted, independence "could not be achieved within any foreseeable future." In December 1952 the General Assembly passed Resolution 648, establishing an Ad Hoc Committee on Factors that gathered statements from governments administering non-self-governing territories. The following August the committee determined that among the features demonstrating the self-determination of peoples was "the political advancement of the population sufficient to enable them to decide the future destiny of the territory by means of democratic processes" and a representative government that guaranteed basic individual rights and freedoms, like the right to vote and freedom of speech and assembly. Few colonial territories met these criteria.[114]

The United States and other colonial powers were torn between their desire to portray themselves as committed to the responsible exercise of self-determination and their determination to block effective UN action and oversight of non-self-governing and trust territories. After Guam's Congress walked out in protest against continued US Navy rule of the territory, President Truman directed the Interior Department to accelerate the transfer of authority over Guam, American Samoa, and the Marshall Islands. The following year Congress passed the Organic Act of 1950, conferring citizenship on Guam's Chamorro residents.[115] In an effort to deflect criticism by the UN Third Committee, the Truman administration also authorized Puerto Rico's Senate to draft a constitution giving it commonwealth status. Puerto Ricans' approval of the new constitution in 1952, Truman declared, "provides additional evidence of this nation's adherence to the principle of self-determination and to the ideals of freedom and democracy," especially compared to Communist control of Eastern Europe. The White House promptly petitioned the UN Committee of 24 to remove the territory from its list of non-self-governing territories and engineered passage of a UN resolution recognizing that "the people of the Commonwealth of Puerto Rico have effectively exercised their right to self-determination."[116]

Behind the scenes, however, Washington joined the United Kingdom, France, and other colonial powers to dilute reporting mechanisms for

non-self-governing territories and oppose measures linking self-determination to decolonization, deepening their isolation on colonial questions.[117] After voting against a resolution charging France with violating Morocco's and Tunisia's right to self-determination, the US Mission to the United Nations concluded that "we have debased our moral leadership in the Arab-Asian world. We have convinced many non-Europeans that despite our lip service to concepts of self-determination and racial equality, we are actually seeking to perpetuate the old-style colonial system." The British Foreign Office warned embassies around the world that if the principles of colonial accountability and self-determination were established in the General Assembly, "our position and authority as an administering power would be seriously undermined," potentially forcing drastic action like severing cooperation with relevant UN committees.[118] Legal advisers to the French Foreign Ministry, including UDHR architect René Cassin, sought to sow fears in the colonies of the dangers of UN acknowledgment of a right to self-determination and to convince newly independent states that doing so "endangered their territorial integrity by allowing minority groups to secede." These were hardly idle warnings. Each of the colonial powers had already supported minority secessionist movements in decolonizing or newly independent states, and would do so again in the coming years.[119] At the end of April 1952, the CHR passed resolutions affirming the right of peoples and nations to self-determination, recommending that administering states voluntarily submit information on progress toward self-determination under Article 75, and calling on member states to promote self-determination of non-self-governing and trust territories and to grant the right to self-government through UN-sponsored plebiscites. On December 16 the General Assembly approved all three resolutions, tasking the Economic and Social Council and the CHR with developing further recommendations for implementation.[120]

The colonial powers and their allies voted against all three resolutions, deploying a series of linked arguments against acknowledging self-determination as a human right. The Third Committee and the CHR, Cassin argued, lacked the competency to address the question of self-determination, which was properly the prerogative of the Fourth Committee, Trusteeship Committee, or Security Council. In any case, Cassin insisted, declaring a right of nations and peoples to self-determination constituted an unwarranted revision of the UN Charter.[121] The growing anticolonial bloc at the United Nations was not persuaded. In a series of internal studies carried out

in 1951 and 1952, Trygve Lie affirmed that "the right of self-determination was the essential prerequisite of all other human rights" and that "the Commission on Human Rights was fully competent to deal with it."[122]

The colonial powers also continued to insist that self-determination was a principle, not a right, which they had been doing since World War I. "The right of self-determination of peoples is a principle of a general order," argued the French delegate to the Third Committee, Georges Pernot, in November 1950, "which it is easy to include in a solemn declaration, but much more difficult to regulate in a juridical pact intended to create contractual obligations." British, US, Dutch, Belgian, and Greek officials agreed.[123] Britain's chief legal adviser to the Foreign Office considered it of "fundamental importance to the United Kingdom" to prevent acknowledgment of a right of self-determination. Doing so would not only encourage UN interference with British colonial policy but also deprive Britain of the "liberty to deny the exercise of self-determination on political grounds or other grounds like immaturity or economic insufficiency."[124] Australia's UN ambassador, Keith Shann, portrayed self-determination and individual human rights as "radically different," given that self-determination could only be exercised as a group or collective right. The Greek and New Zealand representatives likewise maintained that self-determination was "not appropriate for insertion in an instrument dealing with the enforcement of individual rights."[125]

Both opponents and supporters expressed frustration at the seeming vagueness of the terms "peoples" and "self-determination." Following the General Assembly's December 1951 vote, officials in the British Foreign Office attempted to formulate a definition, noting that "no one appears to have a clear idea of what self-determination means." Assistant Legal Advisor D. T. Holland hardly clarified matters when he offered that "self-determination in itself probably connotes freedom in the widest sense, namely, the freedom to carry out certain aims and purposes, to satisfy desires, to fulfill ambitions and so on." "Looking at self-determination in this light," Holland acknowledged, "it may be thought clear that it is in fact the key to all human rights," precisely the argument most anticolonial movements advanced and that Britain publicly rejected. Viewed more narrowly in the context of the UN Charter and as a collective rights claim, self-determination was the territorialization of decolonization: the "right to achieve independence and internal sovereignty, to exercise within the limits of international order external sovereignty, and to retain all of these rights."[126]

Other critics, like Didymus Beaufort, a Franciscan legal scholar and member of the Netherlands delegation, distinguished between internal and external self-determination, acknowledging the legitimacy of the former while rejecting the latter.[127] The Truman administration endorsed Beaufort's framing, which dovetailed both with long-standing US views and with its critique of the Soviet occupation of Eastern Europe. In a speech before the General Assembly, Eleanor Roosevelt framed self-determination as "in essence the process of democracy," an argument she and other Western officials used to denounce Soviet rule in Eastern Europe.[128] Some scholars and contemporary observers have claimed that anticolonial movements and their supporters envisioned self-determination wholly as an external phenomenon (or changed their minds in the 1950s). But UN debates and the self-determination claims deployed by anticolonial movements in Indonesia, Western Samoa, India, Britain's African trust territories, and elsewhere reveal an intimate connection between the two.[129] India's Krishna Menon spoke for many when he stated that external self-determination made internal self-determination possible, noting that "individual and political rights could not be implemented if the people to whom they had been granted lived under a despotic regime."[130]

Menon's argument about the relationship between internal and external self-determination grew out of decades of debate in India over how a democratic postcolonial state could protect ethnic and religious minority rights. The catastrophe of partition in 1947 illuminated the stakes of the debate with tragic clarity, as did the persistence of regional separatist movements seeking greater autonomy or independence. Indian officials were greatly concerned with UN debates over the scope and meaning of self-determination and in particular the definitions of "peoples." Its UN representative defined peoples as "large compact national groups," a formulation meant to exclude the inhabitants of Nagaland and other restive states. British officials expressed frustration that "no acceptable definition of the word 'people' had ever been reached in connection with the principle of self-determination."[131] Proponents on all sides, however, framed peoples in terms of territorial identity, treating the composition and identity of internal minorities as fixed and frozen in time. Such definitions ignored the recent wartime movement of millions through migration and forced displacement, as well as the growing diasporic and transnational identities of many ethnic, religious, and national communities.[132] At least in 1950, debates over the scope and meaning of self-determination failed to even

imagine, much less accommodate, the identities and loyalties of tens of millions of stateless, diasporic, and transnational peoples.

Divisions between the colonial powers and the emerging anticolonial bloc at the United Nations over the precise definitions of "peoples" and "self-determination" highlighted the indeterminate status of international law and UN resolutions. Lebanon's UN ambassador, Karim Askoul, believed that the CHR was going beyond the Charter and that "no system of jurisprudence would exist in respect of the principle of self-determination."[133] This, however, was precisely the point. Proponents of human rights and self-determination at the United Nations did not just reject the narrow vision of the colonial powers. They advanced a novel vision of human rights and sovereignty whose meaning self-determination struggles would help to define. For his part, Pakistani delegate Liaquat Ali Kahn was untroubled by the imprecision of ideas that were, like decolonization itself, shifting and expanding through the initiative of anticolonial movements themselves:

> Could it not also be said that those terms were not purely juridical concepts divorced from political, social and economic factors; that an attempt to define them might, by providing pretexts to the rulers to deny the right of self-determination, prove dangerous to dependent peoples; and that the question of implementation of the right of self-determination in specific cases must always be determined in the light of the particular circumstances prevailing at the time? Such an article should be allowed to develop its own limitations and conditions of application in accordance with specific cases, without need for a priori juridical definitions.[134]

The meaning of self-determination, in other words, would evolve over time as a result of the political contests and claims made in its name. It would be shaped by the changing nature of the world economy and international politics and by the agency of countless movements and their supporters, like the human rights discourse to which it was increasingly tethered.

Colonial powers were especially anxious about resolutions declaring that a right to self-determination applied to non-self-governing territories and trust territories, giving such territories the right to demand plebiscites on their future statue, and calling on the CHR to outline means of implementing such rights. Vagueness served their interests as well. The Soviet Union argued that only "states with responsibilities for the administration of

non-self-governing territories" faced such obligations.[135] Washington insisted that states should extend the right of self-determination to "the peoples of all territories or nations under their control" and "to the peoples of states which were once independent and which have lost that independence," formulations aimed squarely at the Soviet Union but which provoked dread among the other colonial powers.[136] The Australian foreign ministry worried that aboriginal residents of the Northern Territories might demand application of the covenant's self-determination clause and opposed "the extension by UN bodies of reporting requirements of this nature."[137] An internal analysis by the British Foreign Office concluded that allowing plebiscites in non-self-governing territories like Malaya, Fiji, Rhodesia, Cyprus, and Hong Kong, some of which hosted British bases or military personnel, would cause "disastrous confusion and individual hardship."[138] French officials voiced similar worries, especially given the multijurisdictional patchwork of its dependent territories, any or all of which might fall under UN reporting requirements. Heterogeneous postcolonial states like Indonesia, India, and later Nigeria likewise opposed giving international legal warrant for restive internal minorities to demand plebiscites on their political status. These concerns crossed all ideological and political divides. Large states opposed plebiscites as a Pandora's box that could lead to state fragmentation and even disintegration.

Those opposing inclusion of a right to self-determination in the human rights covenant warned, finally, that conferring rights upon ill-defined peoples would lead to chaos, anarchy, and a destabilization of the international system. These were precisely the arguments they made during debates over the meaning of the Atlantic Charter and over the alleged failures of the post–World War I settlement. Belgium's delegate cautioned that self-determination in the Congo would produce internal tyranny and anarchy "as the populations were not yet sufficiently advanced to decide their own fate."[139] British officials told Nehru that codifying a right to self-determination would lead restive minorities in Kashmir, Nagaland, and other areas to demand independence.[140]

Many first-generation human rights and anticolonial organizations otherwise supportive of the right to self-determination agreed with the colonial powers. In October 1954 International League for Human Rights (ILHR) director Roger Baldwin convened a meeting of leaders from NGOs with UN observer status, including Moses Moskowitz of the American Jewish Committee, George Shephard of the American Committee on Africa, Rev.

Sheldon Hale Bishop of the Fellowship of Reconciliation, and representatives from the National Baptist Convention, American Friends Service Committee, and the Women's International League for Peace and Freedom. Already worried about great power opposition to individual rights provisions, Baldwin urged the removal of self-determination from the human rights covenants on the grounds that it was a collective rather than an individual right and more properly addressed elsewhere. Inclusion, the organizations later argued in a letter to members of the Third Committee, would only provoke opposition from administrative powers like the United States and Britain and jeopardize adoption in the General Assembly. Approving British officials made the same case to fellow commission members, citing their own anticolonial critics.[141] Australia's Ministry of External Affairs agreed, concluding that "insistence on inclusion in the draft covenant of articles concerning self-determination of peoples will vitiate the proposed covenants to such a degree as to make them entirely unacceptable to a number of states."[142]

The ILHR's stance was curious given its otherwise aggressive role in pressing the CHR to hear petitions, support for inclusion of economic and social rights in the covenant, and advocacy on behalf of decolonization movements elsewhere.[143] In 1954, as Greek Cypriots began demanding reunification with Athens in the name of self-determination, Cypriot organizations pleaded with the ILHR to advocate on their behalf. Baldwin responded that it was "hardly necessary to add that this league is in favor of the principle of self-determination and its application where any clear issue arises as in the case of Cyprus, where already a popular vote has shown the peoples' desires." The ILHR later petitioned Secretary General Dag Hammarskjöld to add the question of self-determination for Cyprus to the General Assembly's forthcoming agenda and continued to lobby on behalf of Cyprus as British military operations raised growing human rights concerns.[144]

The ILHR was not alone in its opposition to declaring self-determination a human right. The anti-Communist International Confederation of Free Trade Unions (ICFTU), at its general council meeting in Berlin in July 1952, passed a resolution supporting eventual self-determination for all non-self-governing territories. A few months later, it submitted a statement to the Seventh General Assembly expressing strong support for its 1952 resolutions, noting that the ICFTU had taken a "definite stand in favor of the right to self-determination" and economic and social progress for colonial peoples.[145] Yet by 1955 confederation leaders agreed with Baldwin that self-determination should be removed from the UN human rights

covenants, a sentiment shared by the World Jewish Congress and even the British Movement for Colonial Freedom.[146]

What had changed? Arguably nothing. The ILHR, ICFTU, and allied groups continued to advance a liberal, metropolitan anticolonialism. They supported a measured retreat from empire and the protection of colonial investments and property rights while opposing rapid or premature independence for colonial areas as a recipe for chaos or Communist exploitation, a position roundly criticized during World War II by anticolonial activists like Kwame Nkrumah. The ICFTU statement on non-self-governing territories, for example, noted that "many different degrees of development exist amongst the non-self-governing territories, and though the final aim is self-government and self-determination, intermediate stages may have to be envisaged for some." By 1955 deepening Cold War conflict, the growing momentum of the anticolonial bloc at the United Nations, and demands for immediate independence emanating from the Asia-Africa meeting in Bandung and from many anticolonial movements suggested that the liberal anticolonialism of the first generation of human rights groups acted as a brake, rather than an accelerant, on the drive for independence.

Five years before the dramatic expansion of UN membership that would enable passage of the landmark resolution declaring colonialism a crime, advocates of self-determination in the Third Committee, CHR, and General Assembly had seemingly won the argument, at least on paper, over whether or not self-determination was a right. They extended its application to non-self-governing territories, secured widespread agreement that the United Nations had the right to define the terms of its implementation, and defined the concept broadly to include economic sovereignty. International legal analysts and many Western officials recoiled at the growing anticolonial bloc in the United Nations and the audacity of their demands.[147] The colonial powers mostly resigned themselves to a rearguard battle to delay further codification while publicly affirming their support for self-determination, at least in principle.[148] By 1956 the Eisenhower administration had retreated from total opposition to acknowledging a right to self-determination "wherever feasible to well-defined groups of people just as soon as they are politically capable and economically viable," a formulation so riddled with qualifications as to be meaningless, yet suitable for public consumption.[149]

Newly independent Asian and African states invited to the 1955 Asia-Africa meeting in Bandung, Indonesia, confirmed the growing centrality of

self-determination as a frame for anticolonial sovereignty and human rights claims.[150] In December 1954, the prime ministers of Burma, India, Indonesia, Ceylon, and Pakistan met to plan the upcoming Asian-African conference. During their preparations they expressed "continued support of the demand of the peoples of Morocco and Tunisia for their national independence and their legitimate right to self-determination."[151] A few months later at the meeting itself, conference participants demanded national independence for colonized peoples and declared self-determination to be a fundamental human right and a core principle of Afro-Asianism, alongside sovereignty and noninterference in their internal affairs.[152]

The Bandung meeting was the culmination of a decade of growing Third World internationalism, transnational activism, summits, conferences, meetings, statements, and solidarity by anticolonial nationalists, Asian and African socialists, Western anticolonial and human rights organizations, diplomats from newly independent and Latin American states, and more.[153] The Asia-Africa conference, however, represented newly independent states, not anticolonial movements. These new states were jealous of their sovereignty and territorial integrity, and in many cases faced self-determination claims from restive internal minorities. Of the twenty-six participating nations at Bandung, fully one-third faced secessionist or autonomy movements that viewed the unitary postcolonial nation-state as a foreclosure of their political ambitions, rather than as a realization of them. As Bandung delegates issued their final communiqué on April 24, 1955, representatives of the Republic of South Maluku distributed pamphlets commemorating the fifth anniversary of their declaration of independence from Indonesia, rooting their claims to self-determination in the Atlantic and UN Charters, and declaring their struggle "against any colonial oppression western as well as eastern."[154] Just a few weeks earlier, Sudan abandoned its own self-determination process in the face of a similar demand from its southern provinces. In the face of such challenges, attendees of the Bandung conference "narrowed the discourse of freedom and self-determination to independence, sovereign statehood and modernization."[155] Theirs, however, was hardly the only vision on offer. A wide range of movements would lay claim to more expansive conceptions as the pace of decolonization across the globe began to quicken.

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3

African Decolonization and Self-Determination

Speaking on the eve of Ghana's independence in November 1956, Gold Coast Prime Minister Kwame Nkrumah proclaimed to his future countrymen that "if we can make a success of our independence, we shall have made an incalculable contribution towards freedom and progress throughout Africa. The struggle for self-determination which was started by our forebears is in our time coming to a successful end."[1] Nkrumah sought both independence for Ghana, a union of the Gold Coast and the British-controlled half of the former German colony of Togo, and a broader Pan-African federation "to secure rather than transcend national independence" through wider political and economic cooperation.[2] He joined other African and Caribbean anticolonial leaders who envisioned and debated a range of possible futures beyond decolonization, including imperial citizenship, association, confederation, territorial merger, and pan-religious communities.[3]

Not all of Nkrumah's fellow colonial subjects shared his goals. Members of the National Liberation Movement (NLM), a mass, youth-based political organization founded in 1954 and claiming to represent Asante nationalism, denounced the "black imperialism" of Nkrumah's Convention People's Party. They advanced a competing demand for national self-determination through secession or the creation of a federal state with an Asante autonomous region. As elsewhere in decolonizing Africa, a complex mixture of political and economic conflicts propelled Asante nationalism. These included the claims to leadership of an older generation of Asante leaders, class divisions, concerns about legislative representation, and resentment over the price paid by the Gold Coast government to Asante cocoa farmers.[4]

It was an unfair fight. The Movement for Colonial Freedom, an umbrella group of British anticolonial groups founded in 1954, sided with Nkrumah in rejecting Asante nationalism and a decentralized political structure for

Ghana.[5] There was "no contradiction," British MP and Movement for Colonial Freedom campaigner Fenner Brockway wrote to International League for Human Rights director Roger Baldwin, "in rejecting federation within Ghana and at the same time urging a federation of West African countries." By the end of 1956 ruling Asante elites had taken over the NLM and transformed it into a parliamentary movement committed to Nkrumah's national project.[6] Nkrumah's efforts to crush minority nationalisms in the name of building a unitary state were quickly forgotten. Over the course of the next two decades, scores of similar contests over the meaning of postcolonial self-determination would erupt across Africa.

African and Caribbean anticolonial leaders like Nkrumah; Zambia's first president, Kenneth Kaunda, Tanzania's future president, Julius Nyerere; poet and first president of Senegal, Léopold Senghor; and Martinican poet and politician Aimé Césairé imagined multiple possible futures after colonialism. They hoped to escape what some called the "self-determination trap" of negotiated decolonization leading to postcolonial states whose political, economic, and cultural boundaries were drawn along metropolitan lines. Many also worried about the forces of ethnic nationalism that had been promoted by imperial authorities in an attempt to divide anticolonial movements. Senegal's first prime minister, Mamadou Dia, argued that "it is necessary in the final analysis that the imperialist conception of the nation-state give way to the modern conception of the multinational state."[7] Attempts to look beyond the nation-state to supranational, transnational, or subnational forms of sovereignty, however, raised a host of questions about how movements and leaders could fashion cohesive, stable, and legitimate new identities out of alternative models of political and economic organization. Anticolonial movements had to walk a tightrope. They sought to define self-determination capaciously enough to include its internal, external, and economic dimensions but wanted to avoid encouraging secessionist and subnational movements to make claims against their new and fragile states.

Kwame Nkrumah and later Julius Nyerere argued that regional or continental federation of African states could safeguard national independence while creating political and developmental economies of scale enabling them to resist the Balkanization schemes of the colonial powers.[8] Colonial authorities had long exploited or encouraged ethnic, linguistic, religious, or regional identities to cleave anticolonial movements. Decolonization processes in many territories, however, threatened to detonate simmering

colonial-era conflicts over political representation, citizenship, uneven regional development, the constitutional rights of subnational or "minority" groups, and control over natural resources and the rents they produced. Even as anticolonial leaders in Gold Coast, Sudan, Nigeria, French Togoland, Ivory Coast, and other territories deployed self-determination claims against colonial administrators, minority groups within them demanded the same against their new countries. Some sought democratic rights within postcolonial states. Others, like Eritrea's independence bloc, demanded self-determination in the form of independence from Ethiopia. Its leaders viewed postcolonial statehood as an erasure, rather than as a realization, of their hopes. Most governments, not just in Africa, feared that granting self-determination to aggrieved minorities in multiethnic settings would result in the Balkanization of Africa, state fragmentation, and perhaps a gradual unraveling of the interstate system.

In 1947 self-determination lacked legal standing or even a firm definition. Just five years later, with the Cold War shaping political debates across the continent, the UN General Assembly and Commission on Human Rights declared self-determination a human right and began defining it with more precision. By the end of the decade the General Assembly had declared self-determination as the goal of the decolonization process and the "first right" from which all other human rights derived, and by 1966 it was firmly established as a foundational principle of international law. Insurgent movements played a crucial role in this process, often by challenging from below dominant conceptions of decolonization. The dizzying scope and diversity of self-determination claims and movements across the African continent during this period defy easy categorization. This chapter does not attempt a comprehensive approach but instead examines decolonization struggles in Sudan, Nigeria, and independent South Africa that illuminate crucial features of contemporary debates about the scope and meaning of self-determination, as well as its contested meaning in African and global politics. The growing status and legitimacy of self-determination increased its appeal as a way of framing sovereignty and rights claims, both for anticolonial movements and for subnational movements that judged the postcolonial state as an impediment to, rather than as an instrument of, African liberation. Even for decolonizing states, this chapter argues, self-determination was an idea laden with as much peril as promise.

Unlike in South and Southeast Asia, where the collapse of the Japanese empire in 1945 immediately provoked mass independence movements,

African decolonization progressed more slowly, except in Ethiopia and Libya, where the total collapse of colonial rule led to independence in 1946. The more measured pace of decolonization, especially in sub-Saharan Africa, produced more wide-ranging debates among anticolonial leaders and intellectuals about the forms it might take and what political and economic self-determination might look like. Schemes for internal, regional, and even Pan-African federation, as well as for economic and resource sovereignty, fired the imaginations of many anticolonial leaders. Imperial administrators in London, Paris, and Lisbon also recognized the utility of federation and other forms of postcolonial union. Such arrangements could serve as vehicles for splintering nationalist movements, maintaining white minority rule, as in the short-lived Central African Federation, or preserving political, cultural, and economic influence through association with the metropole.[9]

Sudan's path to decolonization hinted at the destabilizing potential of conflicting self-determination claims. The British colony was racked by regional, religious, political, and developmental divisions between north and south and over its relationship with Egypt, which had conquered the territory in 1821 and exercised joint rule with London since 1898. The quickening pace of decolonization sparked bitter debates over the meaning of Sudanese national identity and whether the territory should remain under an Anglo-Egyptian condominium or emerge from colonial rule. More explosively, many southern political and religious leaders insisted that decolonization should birth two Sudans, north and south. Independence in 1956, far from resolving these contending claims, instead sparked a civil war that would continue for the next half-century.

White minority rule in southern Africa posed an entirely different set of self-determination dilemmas. In South Africa and Rhodesia Black majorities framed their self-determination claims along internal lines and demanded democratic self-government rather than national independence. South Africa's white minority government advanced an alternate theory of self-determination that defined the nation along racial lines and portrayed apartheid and the creation of nominally independent homelands as a means of safeguarding both Afrikaner and Black rights in a racially diverse land. Far from a colonial-era atavism, visions of ethno-nationalist self-determination exercised a potent appeal to pieds-noirs in Algeria, whites in Southern Rhodesia, and nonwhite minorities in heterogeneous postcolonial states who saw independence as a recipe for permanent political subjugation.[10]

The independence of Ghana in 1958, the Algerian war for independence, the outbreak of armed revolt in Angola, and the emergence in 1960 of seventeen independent African states urgently raised the stakes of these debates, nowhere more so than in the former Belgian Congo. There, US and Belgian officials backed the secessionist Katanga regime of Moise Tshombe at independence and raised fears everywhere that colonial powers hoped to fragment the continent through the proliferation of small states. Similar tensions emerged following Nigeria's independence four years later, eventually provoking a devastating civil war and secession crisis with the self-proclaimed Republic of Biafra. The Nigerian civil war prompted a wide-ranging discussion over the meaning of genocide, the legitimacy of secession, the definition of state viability, and the limits of self-determination when it threatened the territorial integrity of postcolonial states.

The emergence of national liberation armies in Portugal's southern African colonies, the ANC's turn toward armed struggle, and the radicalization of Palestinian national movement likewise prompted intense debate at the United Nations about the legitimacy of armed struggle for colonized peoples seeking independence. If self-determination was indeed the first right, a right "not granted but won in bitter struggle…with the blood of the peoples," as Lebanese jurist Faoud Ammoun wrote in 1971, then what limits, if any, should the United Nations place on the means that colonized peoples used to fight for it?[11]

Sudan from Decolonization to Civil War

The decolonization of the Sudan after 1945 highlighted the dilemmas other territories would face in defining precisely which peoples merited self-determination, and in what form. London had administered the Sudan since 1898 as part of a condominium with Egypt (which conquered the territory in 1821), under the authority of an appointed governor general. An Anglo-Egyptian treaty signed in 1936 affirmed the growing separation of Sudan from Egypt and Britain's ostensible commitment to "Sudanisation" of local administration, though no Sudanese were consulted. Patterns of uneven extraction established under Egyptian rule, "between a rural periphery, and a productive, export-oriented core based in and around Khartoum" deeply conditioned Sudan's economic and political development through the 1940s. British policy compounded the developmental and political divide,

encouraging the emergence of an educated, administrative class in the north while neglecting the south, which even sympathetic British officials such as Sir Angus Gillan described as "utterly primitive, polyglot, and pagan."[12]

The exclusion of Sudanese from the 1936 Anglo-Egyptian treaty fostered a resurgent Sudanese nationalism. In 1938 northern civil servants formed the Graduates' General Congress, which began calling for independence from Britain and political association with Egypt. In 1942 the Congress publicly demanded that Sudan "share in the promises of the Atlantic Charter" and that Britain and Egypt issue grant Sudan, "in its geographical boundaries, the right of self-determination, directly after this war."[13] British officials rejected the legitimacy of both the Congress and its demands. Instead, in September 1943 the governor general created an Advisory Council for the Northern Sudan as a more suitable and pliable vehicle for moderate Sudanese nationalism. The deliberate marginalization of southern representatives reflected deeply held British and northern views of South Sudan as a primitive and underdeveloped region that would require semicolonial oversight long into the future.

Sudanese nationalists in 1945 viewed their political future as open ended and perhaps including economic association with Britain, union with Egypt, a centralized national state, or a federated state with substantial southern autonomy. Egypt forced British and Sudanese officials to clarify their intentions by demanding the withdrawal of British troops and recognition of their sovereignty over Sudan. In response, officials in Khartoum insisted that Sudan had the right to self-determination and independence, drawing on the language of both the Atlantic and UN Charters.[14] Egyptian officials disagreed, complaining to the UN Security Council in July 1947 that Sudan had the right to self-government but not independence, and that the continued presence of British troops violated Egyptian sovereignty and the UN Charter. Security Council members were unpersuaded. Most echoed the arguments of Brazil's UN delegate that "the future of [Sudan] is in the hands of its people."[15] The Security Council's endorsement of Sudan's right to self-determination suggests that, despite widespread disagreement over its precise scope and meaning, the concept already carried substantial weight as de facto international law.

Neighboring Eritrea's demands for self-determination met a different response. British and US officials supported Ethiopia's call for annexation of the territory, or for the division of Eritrea along religious lines between "Christian" Ethiopia and "Muslim" Sudan. A UN commission sent in early

1950 to investigate Eritrean political attitudes argued for federation with Ethiopia, a recommendation later ratified by the General Assembly.[16] Even sympathetic observers such as Britain's Fabian Society stressed Eritrea's small size and developmental backwardness, arguing that federation would avoid "the pitfall of creating a separate little state which will be unable to stand alone when the time comes for independence." UN commission members agreed that "an independent Eritrean state would not be viable." Any local support for independence, the Norwegian member of the commission suggested, stemmed from "confusion in the mind of the primitive masses."[17]

Sudanese nationalists were determined not to suffer Eritrea's fate. In May 1952 local political parties, including the Communist-led Sudan Movement for National Liberation, called for parliamentary elections, the drafting of a constitution, and a plebiscite on independence by 1956. A few weeks later the Free Officers Revolution in Cairo upended Anglo-Egyptian relations and the future of Sudan. The new chairman of the Revolutionary Command Council, Mohamed Naguib, renounced Egypt's claims and announced support for a plebiscite on independence as "an example to others to respect the right of peoples to self-determination."[18] In February 1953 Britain signed a "self-determination agreement" with Sudan to accelerate the process of administrative indigenization, the holding of parliamentary elections, and formation of a constituent assembly tasked with drafting a new constitution. Iraqi officials called the agreement "a model for the Arab world."[19] Some in the Colonial Office viewed the agreement as a danger rather than a model and "objected to the precedents being set in the Sudan" for the Gold Coast, Nigeria, and other British colonies.[20]

General elections that December revealed deep regional divisions that hinted at the challenges other decolonizing African territories would face. The National Unionist Party (NUP) won half of parliamentary seats, confirming the political marginalization of the south, where the recently formed Southern Federal Party won only nine seats. NUP and Umma Party members staffed the majority of government positions in the south and continued to view the region as "a trusteeship to be assimilated into the Sudanese policy."[21] As a result, prominent southern leaders such as Buth Dui, cofounder of the Southern Sudanese Political Movement, began voicing louder demands for regional autonomy or a federal system to guarantee southern interests. Attendees at a pan-southern conference in October 1954 declared that if Khartoum rejected a federal state, the three southern provinces should secede and declare independence. Liberal Party President

Benjamin Lwoki framed the divide as both racial and religious, with the Muslim north attempting to colonize a racially distinct "Christian and Pagan" south.[22]

In the face of growing southern disenchantment with Sudanization and Egyptian encouragement of "separatist" sentiment in the south, Sudanese Prime Minister al-Azhari proposed to jettison the self-determination process, stating that "the whole country is agreed upon independence" and a plebiscite was unnecessary. Attendees at the Asia-Africa meeting in Bandung were supportive when al-Azhari reiterated his position; many faced similar separatist movements in their own newly independent states. In October Sudan's parliament voted to shorten the self-determination process, abandon the planned plebiscite, and elect a Constituent Assembly to draft a new constitution.[23] Equatoria Corps troops in the southern city of Torit mutinied in response, a revolt the British Foreign Office saw as the "culmination of frustration after many years of discrimination by Northern Sudanese officials."[24]

Western governments, Sudanese nationalists, and most foreign observers ignored South Sudanese concerns. They praised Sudan's independence on January 1, 1956, as a fulfillment of the promise of self-determination and a model of peaceful decolonization for the rest of Africa and the Arab world. Policymakers in Khartoum viewed their chief task as the creation of a national economy and the extension of political and administrative authority across a vast and diverse country. Many southern political leaders, however, viewed "self-determination for Sudan" as a tragedy that cemented their political and economic marginalization. They saw the extension of state authority, the nationalization of missionary schools, and a campaign of Arabization as an attempt to eradicate their religious and regional autonomy and southern nationalism more generally.[25]

The 1958 military takeover by armed forces commander General Ibrahim Abboud, who reduced southern political influence "to practically nothing" and presided over an increasingly brutal campaign of repression, convinced many southerners of the futility of parliamentary politics. In 1961 exiled South Sudanese politicians led by Edward Deng and Saturnino Ohure announced the formation of a South Sudan Liberation Movement "pledged to achieve self-determination for the South." The following year they formed the Sudan African Closed Districts National Union, later renamed the Sudan African National Union (SANU), to advocate for independence and wage an armed-struggle campaign. SANU leaders engaged in

a familiar repertoire of secessionist and minority group mobilization. They formed political parties, sought diplomatic and nongovernmental allies, lobbied the United Nations, and published newsletters and analyses of international law to cultivate diasporic nationalism and legitimize their struggle. As leaders of newly independent African states were meeting in Addis Ababa to found the Organization of African Unity (OAU), the SANU publication *Voice of South Sudan* challenged the new organization's commitment to the territorial integrity of colonial units. "While one can dismiss tribalism as a micro-nationalism that is bound to disappear as a result of economic changes, rapid expansion of education and growth of urban life," one SANU author wrote, "the problem of multi-racialism in multi-racial States will remain longer. Is the movement of Southern Sudanese for self-determination and independence contrary to Pan-Africanism and Movement towards a continental unity?"[26] For many African leaders, and the leaders of other heterogeneous states facing ethnic, religious, and regional self-determination movements, the answer was yes.

Apartheid and "Other-Determination"

The problem of multiracialism was indeed acute, nowhere more so than in white minority-ruled Rhodesia and South Africa. The ANC and other apartheid opponents clamored for "internal" self-determination in the form of multiracial democracy, as well as independence for their colonized neighbors. South Africa's Afrikaner community, by contrast, deployed self-determination discourse as a defense of minority rights and the cultural cohesion of diverse race-nations. The incommensurable embrace of self-determination by both Black and white South Africans offered the sharpest illumination of the wildly divergent ends to which it could be tethered, even as a virtual blizzard of UN resolutions defined it with greater precision.

South African debates over the meaning of self-determination stretched back to the post–World War I period, when the government first refused to grant civil and political rights to its Black population. Until 1927 the South African Communist Party disparaged "the heavy social disabilities and political backwardness" of Black South Africans and viewed their rising nationalism as a force to be suppressed.[27] At the Brussel's Congress of the League Against Colonial Oppression that year, however, Black South African delegates helped secure a resolution demanding "the right to

self-determination, by the complete overthrow of the capitalist and imperialist domination." The same Congress passed a "Resolution on the Negro Question" embracing African nationalism and calling for "control of the land and governments of Africa by the Africans." A year later the Comintern called for a native South African Republic. The South African Communist Party resisted the Comintern's emphasis on African nationalism. Its program of 1929 called for "equal rights for Europeans and other minorities as 'most favoured nations.'"[28] The ANC position piqued the interest of US counterparts such as the Trotskyist Communist League of America, then involved in heated debates over the implications of the Communist International's recent endorsement of "Black self-determination" as a solution to the "Negro question" in the United States.[29]

The question facing Black South Africans was whether to embrace self-determination as multiracial democracy or as an expression of ethnonationalism. The latter was the position of Jan Smuts, many African nationalists, and later the Pan-African Congress. In its 1943 report on the Atlantic Charter, the ANC observed, "This principle of self-determination necessarily raises not only issues relating to the independent existence of small nations besides their more powerful neighbours, but those also concerning the political rights and status of minorities and of Africans now held under European tutelage."[30] By the 1940s the ANC had come down on the side of multiracial democracy rather than Black majority rule, a concession to groups like the South African Indian Congress, whose members already faced discrimination and feared continued political marginalization.

By 1946 it was clear that South Africa would be a crucial site for contesting the scope and meaning of self-determination. That year India lodged a petition with the UN General Assembly challenging the South African government's passage of legislation restricting South African Indians' voting and citizenship rights. In the ensuing debate, which centered on the United Nations' authority to intervene in the internal affairs of member states, a divided General Assembly rejected Jan Smuts's invocation of the UN Charter's domestic jurisdiction clause and established a precedent for the protection of minority rights that would be used by many groups demanding self-determination.[31]

Jan Smuts faced further rebuke when he proposed to annex South West Africa, which Praetoria had held as a League of Nations mandate territory, and whose all-white legislative assembly had voted in favor of incorporation with South Africa. General Assembly members overwhelmingly

opposed annexation as an affront to the UN Charter.[32] Officials in London, Paris, and Washington, however, generally empathized with Smuts, though they hoped to avoid a public vote that would force them to take sides. "It might be unwise to take a position as to the annexation of South West Africa by the Union," warned US Ambassador to the United Nations Warren Austin, "in view of the fact that we might be forced into the position of having to annex some of the Japanese Mandated Islands in the Pacific." Deputy US Secretary of State Will Clayton instead proposed a trusteeship arrangement under which South Africa "would obtain all practical advantages of assimilation," including "(1) continued administration of South West Africa as integral part of Union; (2) Union's maintenance of bases and use of military forces and facilities in the territory; and (3) self-government instead of independence as goal."[33] Clayton's recommendations illuminate the Truman administration's deep commitment to an international order with semi-sovereignty as a crucial building block, and trusteeship as a path to continued semicolonial rule of territories where this could be justified along strategic or other lines.

National Party ascendency in 1948 and formal implementation of apartheid spurred a reassessment by all organized opposition of the goals and means of struggle. A year later both the ANC and the ANC Youth Wing adopted a program of action that "asserted the right of the African people to self-determination and which adopted African Nationalism as the basis of the struggle," alongside a political program of militant noncooperation. The inclusive African nationalism envisioned by the ANC and its allies offered a rebuke to the race-based and "tribal" nationalism of the Pan Africanist Congress, which ANC leaders saw as an obstacle to forging a united front against apartheid.

The systematic and wide-ranging repression experienced by many Black South Africans under apartheid deeply conditioned their understanding of self-determination, which extended beyond Wilsonian conceptions of political self-rule. In 1955 a Peoples' Congress representing the breadth of apartheid opponents adopted the Freedom Charter. It outlined a broad vision of multiracial democracy, human rights, economic redistribution, industrial democracy, comprehensive social rights, and support for the independence and self-government of all African peoples.[34] This included South West Africa, where the government of D. F. Malan had extended apartheid and rigid segregation, and which would play a catalytic role in international legal discussions about self-determination for the next three

decades. The charter movement sparked criticism among groups such as the Pan-African Congress, whose leaders viewed multiracialism as a poor substitute for Black majority rule and African nationalism.

White journalist and lawyer Lionel Forman, musing on the multiple imagined futures of his birthplace, described South Africa as a country of several incipient nations whose identities were forged not merely by language, territory, and culture, but also by the dynamic experience of British imperialism and white supremacy. Forman, a member of both the South African Congress of Democrats and the Communist Party, contrasted the multiracialism of the antiapartheid movement with anticolonial movements elsewhere in Africa where nationalism and demands for self-determination overlapped: "In South Africa, self-determination has a different significance. For them it is not a question of calling upon an oppressing majority to permit them independence in their own territory; nor one of calling upon a foreign power to withdraw. For the Africans are the majority. In a democratic South Africa they can have no fear of being subjected to discriminatory laws by another South African nation, and therefore the demand for Africans to secede from anywhere would not make sense. The form that the demand of the Africans for self-determination takes, therefore, is simply that for full equality."[35] The ANC's conception of self-determination echoed that of India's National Congress Party. It expressed the confidence of a racial majority assured of predominance and optimistic that religious or racial minorities could be assured of their rights through social justice and constitutional guarantees. These demands resonated with liberal anticolonialists who supported the antiapartheid movement but were uncomfortable with armed struggle.[36]

Afrikaner thinking on decolonization and self-determination, in contrast, hewed closely to the supremacist vision of former South African Prime Minister Jan Smuts. Like Woodrow Wilson, Smuts supported self-determination for former Hapsburg and Ottoman colonies in Europe, but continued colonial or mandate rule elsewhere. German colonies in Africa "were all inhabited by barbarians, who not only cannot possibly govern themselves but to whom it would be impracticable to apply any ideal of political self-determination."[37] The accelerating demands of anticolonial movements, however, compelled Afrikaner ideologues to defend their nationalism as compatible with decolonization. They did so in dialogue with European and African conceptions of race, nation, and culture already in global circulation, framing Afrikaners as Indigenous Africans resisting

"foreign" ideologies like communism and multiracialism. White Afrikaaners were simply one "volk" among many, with the right and duty to rule their Black brethren.[38] South African diplomats cited Lebanese statesman Charles Malik's musings on the tensions between universal human rights and cultural self-determination to argue that Afrikaaners were just as entitled to defend their culture as other potentially beleaguered minorities.[39]

Unsurprisingly, Black and white South Africans constructed conflicting theological positions on self-determination. An influx of white missionary activity in the early twentieth century had produced scores of independent Black Christian churches and sects. In parallel with rising Afrikaner nationalism and the passage of discriminatory legislation in the 1930s and 1940s, some Black religious leaders called for an "African National Church" as "a vessel for a non-Europeanised Christianity that could promote self-determination" as well as Black nationalism.[40] The Dutch Reformed Church of South Africa, in contrast, promoted a doctrine of religious and racial guardianship under which Christian whites had the duty, as Reverend J. G. Strydom explained in 1944, "to act as guardians of the non-white races until such time as they reach the stage of being able to manage their own affairs." The church also embraced a form of Christian nationalism according to which God had created nations with distinct cultures, languages, and destinies divinely ordained to pursue "separate development."[41] The institutionalization of apartheid, the forcible relocation of Black South Africans, and moves toward the establishment of segregated racial "homelands" spurred a further theological reappraisal. Beginning in 1950 the church passed a series of resolutions stressing "the African right to national self-determination" as a corollary to Afrikaner self-determination.[42] Most white South African Christians, however, remained committed to apartheid as both a political and theological proposition. "We are not prepared to surrender their right of political self-determination to the non-whites," leaders of the Dutch Reform Church in South Africa told a visiting study group from the World Council of Churches in 1960.[43]

The Dutch Reform Church's defense of apartheid and denial of self-determination for Black South Africans provoked global criticism and reflection. Protestant denominations had long criticized apartheid, but as decolonization accelerated many explicitly backed Black self-determination as a theological imperative. In 1969 the World Council of Churches drafted a Programme to Combat Racism and embraced direct engagement in the struggle against apartheid. For the next quarter-century the WCC would

play a leading role in the antiapartheid movement, mobilizing member denominations and churches around the world, lobbying the United Nations, and providing humanitarian assistance to armed liberation movements fighting white minority regimes.[44]

Apartheid and the doctrine of separate development was the Afrikaner response to two of the thorniest questions concerning self-determination: To which "peoples" did it apply, and did its realization by one "people" necessarily exclude its application to others? For apartheid critics the answer was self-evident. University of Natal sociologist Leo Kuper called apartheid "not the self-determination of nations, but the self-determination of the white group…and the other determination of the non-whites."[45] Through the 1950s the National Party considered whether integration and multiracialism could provide a means for realizing Afrikaner self-determination. The Tomlinson Commission, formed to investigate possible development alternatives under apartheid, observed in its 1954 report that "on the part of the European population, there is an unshakeable resolve to maintain their right of self-determination as a national and racial entity; while on the part of the Bantu, there is a growing conviction that they are entitled to…the fruits of integration, including an ever-greater share in the control of the country."[46]

Pretoria faced two possible alternative futures: progressive integration or progressive separation. "Either of the two policies demands a sacrifice," the Tomlinson Commission argued, "that of integration, the ultimate liquidation of the Europeans' right of self-determination, their identity, and their survival as a national entity," and "that of separate development, altruism and self-sacrifice on the part of the Europeans in order to make such development possible."[47] South African economist Hobart Houghton warned that under any scheme of integration and enfranchisement "the European must eventually be swamped in a common society by the superior numbers of the Africans," leading "to the disappearance of the former as a distinct racial entity." The report recommended the establishment of Bantu homelands, underwritten by an extensive program of economic development to relieve pressures for migration, extending "self-determination to both communities in separate territorial and political entities linked by an economic union in a single South African State."[48] The most important Afrikaner intellectual of the period, N. P. van Wyk Louw, suggested that a sufficiently funded program of separate development provided an ethical alternative to domination or assimilation and constituted the only hope for preserving a distinct Afrikaner nation.[49]

The Tomlinson Commission anticipated the wave of African nationalism and transnational anticolonial activism sweeping the continent in the late 1950s, exemplified by the Afro-Asian Conference in Bandung, independence of Ghana, the Algerian war for independence, and the conference of independent African states held in Accra, Ghana, in April 1958.[50] At Accra, leaders of the eight independent African states demanded "the right of the African people to independence and self-determination," endorsed self-determination for Algeria, and denounced "the evil of racial discrimination in all its forms." The Accra declaration, the South African journal *Liberation* observed, "registered a mighty advance in the struggles of the peoples of this continent for freedom from alien control, for self-government and independence."[51] As decolonization accelerated, French, British, and US officials began shifting the tone if not the substance of policy, acknowledging the right to self-determination in principle while emphasizing its necessary limits and the need for its gradual realization. They did so partly in response to the growing momentum of demands for self-determination in the United Nations, and partly in response to Soviet Premier Nikita Khruschev's support for African anticolonial movements and endorsement of the Accra declaration.[52] White South African officials shared these fears. They mobilized anti-communism to justify continued repression of their opponents (including members of the banned South African Communist Party) and as a resource to bind the white community to their aims.[53]

Growing international condemnation of apartheid prompted some South African officials and intellectuals to look for alternatives. Constitutional lawyer L. J. du Plessis suggested that the survival of apartheid required more thoroughgoing separation than even newly elected prime minister, Hendrik Voerward, envisioned. He called on South Africa to embrace Black self-determination, acknowledge "the fundamental legitimacy and inevitability of nationalism and anti-imperialism amongst Africans," and promote real economic development in the homelands in order to stave off demands for integration and multiracial democracy.[54] Voerward's support for the creation of Bantu "homelands," or Bantustans, critics and supporters recognized, was a direct response to these pressures. The 1959 Promotion of Bantu Self-Government Act stripped Black South Africans of representation in parliament and assigned them one of eight ethnic "nationalities" corresponding to the homelands into which they would be forcibly regrouped and serve as a captive labor force for South African industries and mines. Voerward's vague vision took firmer shape after the 1963 creation

of the Transkei Regional Authority and Legislative Assembly, which granted the territory limited self-government. South African officials self-consciously appropriated the discourses of self-determination, nationalism, and anticolonialism to argue that homelands would allow each of the South African "nations," including the Afrikaner, to "develop along their own lines." Writing in *Foreign Affairs*, South African international relations theorist Charles Manning argued "that very self-determination which his fathers fought for is what the Afrikaner now envisages for each of the African peoples still subject to the white man's rule."[55] Proponents of white minority rule in the United States and Rhodesia echoed these views, proclaiming themselves as advocates of self-rule whose rights were threatened by decolonization and civil rights not only in the US South, but also in territories such as Hawaii.[56]

Apartheid critics considered Voerward's homelands policy a cynical diversion.[57] "The expression 'develop along your own lines' can give the impression that in Bantustans Africans have the right of self-government and self-determination," ANC President Albert Luthuli told the South African Institute of Race Relations. "Nothing could be further from the truth."[58] Voerward's "grim plot," as Nelson Mandela described it from jail in 1959, was prelude to an intensification of apartheid in both South Africa and Nyasaland, culminating in the Sharpesville massacre on March 21, 1960, and the banning of the ANC two weeks later. Over the next three decades, South Africa emerged as a focal point of UN action and debate concerning the right to self-determination. The South African government's creation of the Bantustan system in 1959 and granting of "independence" to Transkei in 1971 generated intense international condemnation. The General Assembly condemned Bantustans as a violation of Black South Africans' right to self-determination and territorial integrity. It repeatedly rejected Pretoria's contention that the homelands had exercised their right to self-determination, creating a novel category of nominally stateless people stripped of their South African citizenship by the apartheid government and belonging to "nations" whose legitimacy no one yet recognized.[59]

The Biafran Secession and the Limits of Self-Determination

It was one thing to recognize a right to self-determination in principle and another to acknowledge it when it threatened the territorial integrity of

independent states. In January 1970, as the breakaway Republic of Biafra was collapsing and the Nigerian civil war was drawing to a close, Biafran students in the United States meditated on their failed revolt. "The Biafran revolution has raised a fundamental issue in the entire politics of unity in Africa," they observed. "The question is this: Can Africa be better unified on the basis of the colonial boundaries or could a lasting unity be achieved on the basis of self-determination for the various African peoples."[60] The Eastern Region of Nigeria had posed this question in May 1967 when it voted to secede, followed by Chukwuemeka Odumegwu Ojukwu's announcement of the independence of the Republic of Biafra. For the next two and a half years Nigeria's Federal Military Government (FMG), backed by both the United Kingdom and the Soviet Union, waged a fierce war against the breakaway republic. This included a devastating blockade of the land-locked territory, resulting in the deaths of an estimated one million civilians from fighting and starvation before the republic finally surrendered on January 12, 1970.[61] For Biafra's supporters, the carving of a new state out of the remnants of Nigeria challenged the dominant logic of decolonization as a transition from colony to unified nation-state. To opponents, Biafra was a sign of things to come if more expansive definitions of self-determination gained traction in international law. Biafra raised important yet unanswerable questions about who constituted a "people" in international affairs, and what circumstances might justify breaking apart a post-colonial state. Instead, of answering these questions, however, Biafra only highlighted the ambiguous and contested nature of sovereignty and self-determination and the ability of groups such as the Igbos to exploit their indeterminacy in an effort to achieve their aims.

Upon achieving independence in 1960 Nigeria became Africa's most populous and wealthiest country as well as of its most heterogeneous, with ethnic Igbos, Yoruba, and Hausa-Fulani dominating the Eastern, Western, and Northern parts of the country, respectively. Local and ethnic loyalties had long hampered the emergence of a strong national identity, producing frequent threats of regional secession, and in 1963 the reorganization of the state along federal lines.[62] Eastern Nigeria had a population of approximately 13.5 million inhabitants, contained abundant natural resources, and sat on the bulk of the country's massive oil wealth. A 1966 military coup that brought Lt. Colonel Yakubu Gowon to power and the military's subsequent massacres of ethnic Igbos suggested to some that federalism precluded effective political representation for minority communities. It was

thus no surprise when Nigeria's Eastern Region declared independence as the Republic of Biafra that its leaders framed their claims in terms of self-determination.[63]

Although Biafra's self-styled leaders spoke of self-determination, much of the world recognized their actions as secession. While the United States and its European allies, China, the Soviet bloc, and the nations of the postcolonial world often violently disagreed on the nature and scope of self-determination, most opposed secession and state fragmentation.[64] Rapid African decolonization after 1960 pressed these issues to the surface. At the founding conference of the OAU in 1963, anticolonial leaders heatedly debated whether the Pan-African ideals of unity, anticolonialism and self-determination required the maintenance of colonial borders or their dissolution in favor of a continental federation or some other formation. Just five years earlier the All-African People's Conference had denounced "artificial frontiers drawn by imperialist powers to divide the peoples of Africa." Now the OAU took a strong and unequivocal stance in favor of the preservation of colonial-era borders, partly out of fear of state fragmentation, and partly at the insistence of smaller states fearful of territorial claims by their larger neighbors.[65] Britain, then providing assistance to Oman in putting down a Saudi-backed separatist rebellion, endorsed the OAU's stance. "Armed rebellion against a legitimate government does not establish the right to self-determination on the part of the rebels," British ambassador to the UN Patrick Dean told the General Assembly. Kenyan officials agreed, telling an OAU Summit Conference that "the principle of self-determination has relevance where foreign domination is the issue. It has no relevance where the issue is territorial disintegration by dissident citizens."[66] This was a reasonable stance given the ethnic, religious, and linguistic diversity of many postcolonial states and the often-arbitrary drawing of colonial borders. The OAU's position reflected the deep unease spawned by the Congolese civil war and the attempted secession of Katanga province, justified by self-declared President Moise Tshombe "on the basis of the universally recognized right to self-determination."[67] The secessionist State of Katanga, backed by numerous Western governments and mining firms, was defeated in January 1963, just a few months before the OAU's formation. Many African leaders saw Katanga as an attempt by the colonial powers to create small, weak postcolonial states, and postcolonial self-determination as a mask for the promotion of imperial and commercial interests.[68]

The Nigerian civil war erupted less than a year after the UN General Assembly adopted the twin 1966 human rights covenants. Article I of each famously declared, "All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development."[69] From the start, Biafran leaders framed their claims to legitimacy by reference to the 1966 covenants. While casting their efforts as the latest chapter in the history of African decolonization, they contended that self-defined linguistic and "tribal" groups "represented true African authenticity, not the newer ideologies of political liberation nor notions of pan-ethnic civic nationalism." Instead Biafran officials urged "recognition and preservation of the separate identity of the various tribal or linguistic groupings and their right to develop each along its own line and at its own pace."[70] They also emphasized Nigeria's long history of regionalism and noted that following the 1966 military coup, representatives of the Northern, Western, and Eastern states had insisted that the "right of self-determination of all people in the country must be accepted," including "the right of any State within the country to secede."[71]

Even as they defined the nation along ethnic lines, Biafran leaders suggested that recognizing their new state was "in keeping with the best practice of the concept of territorial integrity for all nations" and would prevent strong states from absorbing their smaller, weaker neighbors. The OAU Charter, they dubiously argued, recognized "the right of a new state to emerge from a state through the process of self-determination" and did not explicitly rule out secession in all instances. In any case, the history of British-sponsored federations in the West Indies, Malaysia, Central African Republic, and elsewhere suggested both that colonially sponsored federations were doomed to fail and that their dissolution could be accomplished without bloodshed.[72]

Finally, Biafra's supporters argued that Nigeria's federal government was unwilling to afford residents of Eastern Nigeria protection and full democratic rights, forfeiting their loyalty. "When the Nigerians violated our basic human rights and liberties," argued journalist Simon Anekwe, "we decided reluctantly but bravely to found our own state, to exercise our inalienable right to self-determination as our only remaining hope for survival as a people."[73] Here Biafran secessionists made a novel case: that the violation of their right to individual self-determination compelled them to exercise their right to collective self-determination via secession.[74]

Biafra's self-styled diplomats traveled around the world seeking recognition of this right, especially from small states. Only a handful of nations, however, formally recognized Biafra: Haiti, Tanzania, Ivory Coast, Gabon, and Zambia. Their reasons for doing so varied considerably.[75] Julius Nyerere's Tanzania offered the most significant support, extending official recognition in April 1968. Nyerere criticized African states' obsession with territorial integrity, arguing that in service of these principles "Africa has watched the massacre of tens of thousands of people."[76] The fundamental question raised by the Nigerian civil war, as by the East Pakistan crisis a few years later, was whether people "have the right to create another instrument for their protection—in other words, to create another state" in the face of government-sponsored mass violence. In this case, Nyerere suggested, the answer was yes, though he viewed recognition as a spur to negotiations rather than as a final solution to the conflict.[77] Like many of his postcolonial peers, Nyerere had established one-party rule in Tanzania and suppressed or banned ethnic and regional loyalties in favor of a state-imposed national identity. He thus viewed the spread of the type of ethno-nationalism represented by Biafra with dismay.[78]

Other states offered diplomatic or material aid while withholding recognition. French Prime Minister George Pompidou's government backed Biafran independence and supplied food and weapons. France has "always defended the people's right to self-determination," claimed parliamentarian Raymond Offroy, effacing a century of colonialism and the bloody memory of Algeria's war for independence.[79] China also joined the fray, denouncing "imperialist" and "revisionist" (i.e., Soviet-allied) powers for supporting Nigeria.[80] South African officials spoke in favor of self-determination for Biafra, mostly to make the case for apartheid and the creation of the Bantustans. "Enforced integration of people of different tribal backgrounds," a diplomat in Praetoria told the US embassy, "inevitably leads to friction and bloodshed, with Nigeria providing only the most recent example."[81]

The Nigerian government's successful blockade against Biafra and reports of mass starvation and massacre sparked a wide-ranging transnational humanitarian and solidarity movement. Biafra support committees formed in many Western countries, and mass media provided sustained coverage of the civil war. Western governments and groups such as the International Committee of the Red Cross, Caritas, and Joint Church Aid delivered food, medicine, and relief supplies to the beleaguered territory. These aid groups, however, framed their intervention in humanitarian

terms and took no public stance on Biafra's self-determination claims, though they fiercely debated recognition in private.[82] Solidarity groups like the American Committee to Keep Biafra Alive, in contrast, embraced secession as a legitimate form of self-determination. In early 1969 the committee organized a campaign calling on US President Richard Nixon to recognize Biafra and "not bully" Biafrans into giving up "their God-given right to life and the right to self-determination."[83] French, Swiss, Swedish, and German organizations also supported secession as a response to allegations of genocide, as did Biafran exiles living in Canada and other Western countries.[84]

Nigerian leaders recognized the moral power of Biafra's claims and sought to discredit them, exploiting the still contested status of self-determination in international law and fears that the Biafran secession raised among governments of other fragile multiethnic states.[85] First, they argued, the FMG had already gone far to meet Igbo demands for internal representation, proposing in September 1966 a federal system of twelve decentralized states to reduce the likelihood of political domination by the northern Hausa-Fulani majority.[86] Second, Lagos warned, an independent Biafra would simply replicate Nigeria's minority problems in an Igbo-dominated state that would deny the rights of five million Efiks, Ibibios, Ekois, and Ijaws. "If the union of Nigeria is dissolved," a government broadside declared, "ethnic groups in Biafra have just as much right to self-determination as Ibos."[87] Some Nigerians and their supporters viewed calls for self-determination for Biafra as a neocolonial plot, waged "by international politico-economic interests and haters of the black people, to destroy us and our potentially wealthy nation, and to create in its place a weak, puppet mini-Euro-African 'state,' through the reactionary concept of 'Biafra.'" Many otherwise radical African leaders like Algerian President Houari Boumedienne shared these views. At an OAU summit in September 1968 he denounced "plots from all sides directed against Nigeria, aiming to disintegrate and shake to its foundations this great African state."[88] Small state self-determination, as much as secession, was a threat to be avoided.

Biafran demands gained legitimacy from the charge that the FMG was committing genocide through massacre and enforced starvation. Both Biafra supporters and the FMG invested considerable resources in shaping global perceptions of the genocide charge. The former hired Swiss public relations agency Markpress to represent Biafra to the global media.[89] The unequivocal humanitarian disaster produced by the military blockade of Eastern Nigeria led some who opposed secession to wonder if "subduing

Biafra is far too great a price to pay just to allay the fears of Balkanization."[90] The Nigerian government hotly contested the genocide charge, pointing to the lack of repression faced by Igbos living in other parts of Nigeria and to allegations of atrocities committed by Ojukwu's forces. As the civil war ground on, journalists and diplomats began to criticize the provisional Biafran government for its absolutist negotiating stance and suggested that it was manipulating global concern over civilian suffering to advance its political aims.[91]

Despite widespread empathy for civilian suffering, support for Biafran self-determination was always a minority proposition. Even Western governments providing relief to the territory backed the Nigerian government. Ireland, for example, provided relief assistance to Biafra but maintained an official policy "firmly rooted in the primacy of a united Nigeria."[92] No European government officially recognized Biafra. The Soviet bloc uniformly backed Nigeria. Surveys of public opinion and media coverage revealed that most Europeans were ill-informed on the basic facts of the civil war and supported Nigeria's territorial integrity. The same was true across much of Africa, where access to accurate information was scarce and polemical pronouncements from state-controlled newspapers ruled the day. The first OAU mission to Lagos in November 1967 stressed that "any solution to the Nigerian crisis must be in the context of preserving the territorial integrity of Nigeria."[93]

The United Kingdom staunchly backed the Nigerian government throughout the civil war and provided economic, military, and diplomatic support for its former colony. While British officials were keen to avoid setting a secessionist precedent for other multiethnic former colonies, they also feared the impact of support for Biafra on investments in Nigeria, especially in oil. Whitehall's position proved unpopular. Solidarity groups raised money for relief, organized mass meetings and marches, published ads decrying government policy in major newspapers, and lobbied Parliament. Among Labour Party MPs there was "considerable back-bench support for Biafran relief and even self-determination" and consistent criticism of Whitehall's determined support for Lagos.[94]

In the United States, the Johnson and Nixon administrations never wavered in their support for Nigeria's territorial integrity, even as they supported an arms embargo against Lagos, professed public neutrality in the civil war, and provided more than half of the relief assistance entering Biafra.[95] The United States supported self-determination for Biafra,

Secretary of State William Rogers told French officials in 1969, but not "if we were to speak of it as meaning that any group in a sovereign state can secede."[96] US opposition to secession, however, was hardly iron-clad. Washington supported separatist movements in the Congo, Indonesia, and elsewhere when doing so served broader geopolitical or commercial interests.[97] As the civil war dragged on, a sizable congressional minority began expressing support for self-determination as part of a diplomatic solution to end a seemingly intractable military conflict and intolerable human suffering. But US support for the British and Nigerian governments remained the same.[98]

The Nigerian civil war finally ended in January 1970, when FMG troops conquered the last remaining pockets of rebel-held territory.[99] The collapse of one of the boldest movements for postcolonial self-determination provoked a steady stream of commentary on the lessons Biafra might offer for other secessionist movements. Critics breathed a sigh of relief, arguing that Biafra's collapse demonstrated that it was too small to be politically and economically viable and could not claim a coherent linguistic, cultural, or national identity. It was a place, perhaps a region, but not a nation.[100]

Biafran leaders confronted an ever-shifting geopolitical and social scientific sensibility regarding the thresholds for state viability. Many anticolonial leaders and their former colonial masters internalized what one contemporary commentator called the "bigness bias," the idea that small countries were "militarily vulnerable, politically weak, [and] economically unviable." They were joined, though for different reasons, by anticolonial leaders such as Kwame Nkrumah, who "condemned any expression of the right to self-determination which was on a small scale, and blamed it on neo-colonial influences."[101] Western social scientists were "obsessed with the need for large internal markets to promote economic development in the third world" and believed that small states, especially those dependent upon resource exports, could never create balanced, independent economies.[102] A decade later, explosive economic growth among small East Asian states such as Singapore, Hong Kong, and Taiwan put some of these concerns to rest, but too late to help Biafra's cause.

Biafra's stiffest challenge was convincing other states to accept secessionist self-determination as legitimate. The vast majority did not. Arbitrary postcolonial boundaries everywhere bore little resemblance to the actual dispersal of ethnic, linguistic, or cultural groups. Most postcolonial regimes understandably prioritized the creation and maintenance of a national

identity across diverse ethnic and linguistic lines and viewed strong, often single-party states as a means to this end. The Congolese government, unsurprisingly, staunchly defended Nigeria's territorial integrity. "To have supported secession," one Congolese minister told the British prime minister, "would have been to commit a crime against Africa."[103]

Countless observers made this case, warning that "self-determination thoroughly carried out in Africa would end in each household or clan having its own separate flag."[104] Political scientist Rupert Emerson, the leading contemporary scholar of postcolonial nationalism, warned that "at some point even the most ardent enthusiast for a permanent and continuing right of self-determination must call a halt to the process of fragmentation" symbolized by Biafra. Others grimly hoped that Biafra would serve as a warning. *New York Times* correspondent C. L. Sulzberger lamented that the war's destruction was "gruesome, brutal and crippled development of the continent's most promising black state. It was also inevitable," he concluded, even necessary. "Had Katanga or Biafra succeeded in breaking loose," he warned, "the disruptive power of tribalism would have been vastly enhanced everywhere."[105]

Given the Hobbesian choice between state disintegration and hundreds of thousands of civilian deaths, the collapse of Biafra suggested that the international community would not so reluctantly chose the latter.[106] Biafra was a warning. Chad's president, Francois Tombalye, "undoubtedly had in mind the ongoing insurgency in his territory" when he backed Nigeria's position.[107] Biafra's supporters assailed the grim predictions of Balkanization and state fragmentation. They asked, "Must Africa replicate centuries of bloody European wars in order to rationalize arbitrary colonial borders?"[108] Biafra's opponents, they suggested, ignored the vast range of ways that states could address self-determination claims, through federalism, autonomy, and other solutions falling well short of secession, which Biafran leaders claim they only turned to after other options had failed.

Nigerian leaders faced the challenge of reintegrating Eastern Nigeria into national political life and accommodating Igbos who feared retribution. Nigeria remained a military dictatorship, but the FMG proved surprisingly pragmatic given the ferocity of the civil war. In at least parts of the country, argued Sam Ikoku, commissioner for economic development and reconstruction in East Central State, Nigeria's military rulers "had to concede the principle of ethnic self-determination to the smaller ethnic groups in the country." Though Biafra fell, "The forces of federalism with the base of

ethnic self-determination won the civil war."[109] Igbos and other secessionists faced myriad hardships after the civil war. Fears of a postwar genocide, however, proved unfounded, though the ethnic and resource-based grievances that animated the conflict festered for decades and continue to today.

Other African secessionist movements mined Biafra for lessons. Eritrea's leaders viewed Biafra as an analogue and inspiration. Eritrea had also been "forced into a 'federal' shackle" with Ethiopia, compelled in 1961 to take up arms after more peaceful ways of achieving self-determination had failed.[110] Leaders of the South Sudan Liberation Movement, in contrast, framed Biafra's lessons in negative terms. The struggle in southern Sudan was "not a Biafra-like fight tearing apart an African country" but "a fundamental struggle pitting an indigenous African culture against alien invading forces of Arabization and imperialism." Foreign intervention in the conflict, especially on the part of Egypt and Israel, Sudanese politician and Communist Party member Joseph Garang argued, was designed "to create another Biafra in the Sudan and, if possible, to transform the Southern question into an Afro-Arab conflict on a continental scale."[111]

The creation of Bangladesh four years later and the mass killings and death that accompanied it, seemed to confirm some of the fears of Biafra's critics. But Bangladesh was the exception that proved the rule, the sole Cold War example of a successful secessionist movement leading to a new independent country.[112] There are many reasons why Bangladesh's situation was comparatively unique: its geographic isolation, majority status within Pakistan, the democratic mandate of the Awami league, and India's decisive military intervention.[113] Most Western officials viewed East Pakistan as they had Biafra. Secessionist self-determination was illegitimate, and Pakistan had the right to preserve its territorial integrity, even at the cost of hundreds of thousands of lives and millions of refugees. Some US officials, such as Idaho Senator Frank Church, disagreed. He argued that in the wake of Biafra "our government has an opportunity now to uphold the right of self-determination" and that such movements and claims needed to be dealt with on a case-by-case basis.[114]

The Biafran secession crisis raised a host of uncomfortable questions about the sanctity of international borders, the legitimacy of postcolonial settlements, and the meaning of self-determination. The Nigerian government's crushing of Biafra provided few answers to these questions except for the obvious ones. Successful movements for self-determination generate their own legitimacy, while unsuccessful ones do not. As one contemporary

observer noted, "While genocide is illegal, civil war is not. Civil war is not illegal under international law, neither is the suppression of secession."[115] If the Nigerian civil war and its aftermath offered any lessons, one scholar averred, it is that "international law is neutral on the issue of post-independence self-determination," and that "whether any group of human beings constitutes a people seems more often than not to depend on the fortunes of war and the strategic demands of the great powers" than on the intrinsic legitimacy of their claims.[116]

Armed Struggle and Terrorism

The Biafran secession crisis also raised the challenging question of the legitimacy of violence in anticolonial and secessionist movements. Debates over this had raged for decades, especially among older generations of pacifist antiwar and anticolonial organizations.[117] The brutal French and British wars in Algeria and Kenya in the late 1950s challenged Kwame Nkrumah, Kenneth Kaunda, and Western anticolonial organizations to consider the relationship between armed struggle and self-determination in the face of imperial violence.[118] At the 1958 Conference on Independent African States, FLN delegates from Algeria rejected Nkrumah's vision of nonviolent decolonization as both naive and counterproductive. They challenged African leaders to embrace the legitimacy, even the necessity, of armed struggle in the fight for self-determination and supported armed anticolonial movements in places like Cameroon that had been abandoned by the French Left.[119] Frantz Fanon issued a similar challenge at the All-Africa People's Conference and expanded upon his critique in his seminal work *The Wretched of the Earth*. African nationalist parties, in rejecting armed struggle, had reduced self-determination to an empty slogan, a liberal plea to "decolonize on gentleman's terms." In place of liberal nationalism Fanon posited national consciousness and solidarity as the basis of anticolonial struggle.[120] Kenyan trade unionist Tom Mboya agreed. Speaking to the 1959 convention of Americans for Democratic Action, he defended the Mau Mau rebellion as a legitimate response to Britain's increasingly brutal counterinsurgency campaign. Mboya rejected the argument that armed rebellion implied "that Africans are not sufficiently civilized to be entitled to self-government," arguing instead "that it was the failure to grant self-government that led to actions of terrorism."[121] The militance of the Algerian

revolution had already inspired solidarity movements from Jakarta to Santiago, where local activists in 1956 formed the Comité Chileno Pro-Autodeterminación de Argelia. It also inspired armed revolutionaries around the world and especially in Cuba, which became a key ally and advocate of Tricontinentalism and Third World radicalism.[122] Resolutions affirming the right of anticolonial movements to armed struggle in pursuit of self-determination poured out of organizations like the Conference of Jurists of Afro-Asian Counties and later the Non-Aligned Movement.[123]

Liberal Western anticolonial organizations such as the Movement for Colonial Freedom, International League for the Rights of Man, and American Committee on Africa, committed in principle to nonviolence, wavered on the legitimacy of armed struggle in anticolonial movements. The ACOA's pacifist founder, George Houser, saw the ANC as the vanguard of international nonviolent resistance to racism. Others held up Nkrumah's Ghana and Julius Nyerere's Tanzania as more effective models of peaceful decolonization.[124] The 1960 Sharpeville massacre, the ANC's subsequent shift to armed struggle, French counterinsurgency campaigns and nuclear testing in Algeria, and the formation of armed liberation movements in Angola, Namibia, and Mozambique, however, starkly underlined the limits of liberal anticolonialism. Western anticolonial organizations would acknowledge reality or be left behind. The recently formed and moderate American Negro Leadership Conference on Africa equivocated, refusing to take a stance on armed movements. Amnesty International stated at its founding in 1961 that it would only support prisoners of conscience who forswore violence, consigning itself to irrelevance in the movement for decolonization The ACOA eventually chose reality, declaring its "solidarity with the political goals of those who advocated armed struggle against apartheid" while continuing to support boycotts and sanctions.[125]

UN efforts to enshrine self-determination as the foundation of decolonization, and to legitimize armed struggle as a legitimate means to achieve it, reflected the swelling momentum of scores of anticolonial movements and their transnational supporters.[126] The colonial powers and their allies rejected the legitimacy of armed struggle as a matter of course, unless they were doing the arming. Liberation movements, postcolonial nations, and socialist states defended armed struggle with sacramental fervor, unless restive internal minorities, occupied peoples, or unruly satellites claimed the right for themselves. A succession of disputes within the UN Economic and Social Council, the Decolonization Committee, the Terrorism Committee,

and the Legal Committee on Armed Conflicts in the 1960s and 1970s revealed a terrain of debate over the meaning of human rights, self-determination, and terrorism almost wholly alien to liberal sensibilities. These debates confounded and outraged Western liberals, who for principled or practical reasons prioritized victims who rejected violence as a means of social change.

Few national liberation movements or postcolonial states claiming the right to self-determination practiced internal democracy. Few prioritized the civil and political rights that animated Western human rights activists. The emergence of an alphabet soup of Soviet, Cuban, Algerian, or Chinese backed guerrilla movements fighting occupation, colonial, or racist rule in South Africa (ANC), Mozambique (FRELIMO), Angola (MPLA and UNITA), Guinea Bissau (PAIGC), Rhodesia (ZAPU and ZANU), and Palestine (PLO, PFLP), among other places, thus represented a twofold challenge. If self-determination was indeed a fundamental human right, did peoples living under colonial domination have the right to use any means at their disposal, including armed struggle, to achieve it? If so, how could other countries define and support "legitimate" liberation movements, as opposed to secessionist movements, without violating the prohibition against interference in the internal affairs of other states?[127]

The UN Decolonization Committee, increasingly dominated by newly independent Asian and African states backed by the Soviet Union, suggested that the answer to the former question was yes. The OAU had already affirmed the legitimacy of armed struggle by establishing a Coordinating Committee for Liberation in 1963. The Non-Aligned Movement declared that "colonized peoples may legitimately resort to arms to secure their right to self-determination and independence if the colonial powers persist in opposing their natural aspirations." Four years later Tanzanian President Julius Nyerere declared support for armed liberation struggles a cornerstone of his foreign policy. Algeria's postrevolutionary government offered military training to armed groups from around the world.[128] Over the next decade the General Assembly and Fourth Committee passed dozens of resolutions urging member states to offer all possible support for armed liberation movements in South Africa, Angola, Mozambique, Guinea Bissau and Cape Verde, Namibia, and Southern Rhodesia, affirming their right to armed struggle in pursuit of self-determination, and calling for arms embargos against Portugal and Rhodesia.[129] Over the next several years the Fourth Committee, pressed by members of the OAU, granted observer status to

FRELIMO, PAIGC, the PLO, and other armed movements it recognized as legitimate representatives of the national aspirations of their territories. Soviet bloc members of the UN Special Committee on Principles of International Law Concerning Friendly Relations and Cooperation Among States pressed for acknowledgment of "the legitimacy of armed struggle by colonial peoples towards the right of self-determination" as a foundational principle of international law. In 1972 alone, Egyptian political scientist Yassin El-Ayouty observed, the UN Fourth Committee and General Assembly passed four separate resolutions affirming "the legitimacy of the struggle of the colonial peoples . . . to exercise their right to self-determination and independence by all the necessary means at their disposal."[130] Liberation movement leaders like Amilcar Cabral, who attended the 1966 Tricontinental Conference in Havana, articulated an expansive conception of Third World sovereignty and anti-imperialism and a "radical vision of self-determination" that "championed armed revolt" and socialism.[131]

The turn to airline hijacking and other acts of what Western states termed terrorism by Palestinian organizations like the Popular Front for the Liberation of Palestine and Fedayeen crystallized these issues.[132] While in the late 1950s and early 1960s most Western anticolonial and human rights organizations rejected the legitimacy of armed struggle, by the early 1970s many had changed their position. When the British Movement for Colonial Freedom changed its name to Liberation in 1971, the organization observed that "throughout these territories (of Southern Africa) armed struggle has now commenced and these liberation movements have registered success." It declared that Liberation "has always stood for the right of people to self-determination, fully supports these just struggles and calls on the British labor and progressive movement to give them all the aid possible."[133] Many US leftists drew intellectual inspiration from and identified with both the goals and tactics of armed-struggle movements in Portugal's African territories. George Murray, minister of education of the Black Panther Party, told *Tricontinental* magazine that Black Americans "have the right to self-determination, just as the Algerian people have the right to self-determination, and that we must also engage in an armed struggle as the Cubans engaged in armed struggle. We are colonial subjects in the same sense." In September 1976 the Congressional Black Caucus organized a Black Leadership Conference on Southern Africa attended by more than one hundred Black political, religious, civil rights and economic organizations. Attendees produced an African American Manifesto on Southern

Africa declaring that they "totally support the liberation of Southern Africa from white minority rule by means of armed struggle, where necessary, and affirm the right of the African liberation movements to seek necessary assistance from whatever sources [are] available to achieve self-determination and majority rule."[134]

The Richard Nixon administration, which valued the US lease on the Lajes airbase in the Azores, drew a different sort of inspiration from Portugal. Washington's UN delegation vigorously opposed resolutions urging member states to extend recognition to Cabral's PAIGC, SWAPO, PLO, ANC, and other armed liberation movements.[135] Critics of Washington pointed out the obvious hypocrisy. Trinidad and Tobago's ambassador to the UN, Patrick Solomon, told the US ambassador that he "supported [the] Program of Action's endorsement of use of force as only way left to oppressed people of South Africa," adding that the United States "used force in Southeast Asia, and could hardly be critical of resort to such extreme measures by others." American and British frustration with dominance of the committee by radical forces and the "extreme and unworkable measures" proposed by the committee in its Program of Action on Decolonization led them to withdraw from it entirely in 1971.[136]

Disputes over the right of liberation movements to employ armed struggle to achieve self-determination surfaced repeatedly within the Human Rights Commission, the UN Committee on Terrorism, and other international forums. Discussion of a 1973 resolution that would have marked one of the first definitive UN statements on terrorism stalled over an inability to bridge the gap "on the relationship between action on international terrorism and [the] struggle for self-determination." Most Afro-Asian and socialist members agreed with the Tanzanian representative to the United Nations that the refusal to recognize the right of peoples to self-determination lay at the root of terrorism. Soviet officials told the Ad Hoc Committee on Terrorism that "it is unacceptable to give a broad interpretation to the term 'international terrorism' and to extend it to cover national liberation movements."[137] The United States, Britain, Canada, France, Iran, Nigeria, Indonesia, and Israel firmly rejected this position. They feared establishing a "dangerous doctrine" that "anything goes," such as attempted secession by Kurds or Biafrans or plane hijackings by Palestinians, so long as the justification was self-determination.[138] In the UN General Assembly's Legal Committee, a coalition of states led by Afghanistan, Algeria, Bulgaria, Chad, Egypt, Mongolia, Niger, Ukraine, Yugoslavia, Zaire, and Zambia

sought to give combatants captured in national liberation struggles the status of prisoners of war and raise their struggles to the status of international armed conflicts.[139] The 1974 Diplomatic Conference on the Law of War, convened by the Swiss government to update international laws concerning armed conflict, nearly collapsed in acrimony after postcolonial states advanced proposals to apply international laws governing international conflicts to wars fought for "self-determination against alien occupation or against colonialist or racist regimes," and explicitly acknowledging the rights of liberation movements to use force. Similar protests greeted efforts in 1973 to adopt a UN convention on the protection of diplomats.[140]

These disputes climaxed in 1975 in the UN General Assembly's Third Committee, which debated a resolution on the "Universal Realization of the Right of Peoples to Self-Determination and of the Speedy Granting of Independence to Colonial Countries and Peoples for the Effective Guarantee and Observance of Human Rights." A year earlier UN Secretary General Kurt Waldheim appointed a special rapporteur to investigate progress by member states in implementing UN resolutions relating to the right of peoples under alien and colonial domination to self-determination.[141] While the United States, France, United Kingdom, and Australia generally refused to reply to Waldheim's request, growing pressure in the Third and Fourth Committee led them to prepare and implement various consultations and referendums to legitimize their continued relationships with non-self-governing territories and, in some cases, pave the way for independence.[142] Discussion within the UN's Third Committee concerning the legitimacy of armed struggle in pursuit of self-determination revealed both geographic and ideological splits that crossed East-West as well as North-South divides. While most African and Middle Eastern states and the Soviet bloc supported Resolution 2158, which endorsed the right of peoples continuing to live under alien or colonial rule to armed struggle, Central and Latin American delegations joined the United States and its Western European allies in opposition.[143] Ethiopia, Sudan, and Indonesia, all of which faced armed separatist movements, likewise opposed the measure even as they declared their support for Palestinian and Lusophone African self-determination. Indonesian Foreign Minister Adam Malik told a Non-Aligned Movement ministerial meeting in Guyana, "We must never let the concept of the struggle for freedom become an excuse for instigating a civil war within an already independent and sovereign state."[144]

Repeated UN endorsement of the right of liberation movements to armed struggle in pursuit of self-determination, and their embrace by Western radicals, fed growing criticism among conservatives in the United States, Britain, and other Western capitals that self-determination had become what they feared: a wildly expansive set of sovereignty claims that threatened the foundations of international order. If self-determination claims could be used to justify armed struggle and even terrorism, they could be used to justify almost anything, including a radical restructuring of the global economic order and the regimes of property rights and foreign investment that undergirded it. This is precisely what developing countries proposed when in April 1974 members of the Group of 77 developing nations issued a declaration of principles for the establishment of a New International Economic Order (NIEO) to accelerate the development of poor countries and close the widening gap between them and the industrialized world.[145] The NIEO declaration was itself the product of a quarter-century of increasingly vocal insistence by Latin American and decolonizing states that economic self-determination was also a human right, and that political sovereignty alone mattered little in a world economy dominated by wealthy countries and multinational corporations. Codification of developing nations' right to resource sovereignty and nationalization were at the center of these efforts, posing challenges to the structure of international politics every bit as radical as political decolonization itself.

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Economic Sovereignty and Self-Determination

On March 11, 1947, citizens of the newly independent Philippines went to the polls to vote on proposed amendments to their new constitution. Among the most controversial measures was a "parity rights" provision required by the 1946 Bell Trade Act that granted US citizens and corporations equal rights alongside Filipinos to invest in and exploit the country's resources. The vote capped an extraordinarily contentious debate about the conditions and meaning of decolonization in the Philippines, as well as a months-long campaign led by President Manuel Roxas and US and Filipino elites to persuade the newly minted citizenship that they should prefer "dependency and bilateralism to equality and economic sovereignty."[1] Though economic provisions tying the Philippines closely to the United States had the support of sugar planters and other elites in Roxas's circles, many Filipinos felt they had little choice in the matter. The Truman administration imposed the parity provisions on the Philippines as a condition of independence, and the Philippines Trade Act tied postwar relief payments to passage of a constitutional amendment giving equal rights to US corporations in exchange for preferential access for Filipino commodity exports, especially sugar.[2] Former presidential spokesman Jose Reyes joined many critics in denouncing the Trade Act and parity provisions as "a continuation of American colonial status." The provisions barely passed the Philippine senate, and only after the legislature blocked leftists from taking up their seats.[3]

Filipino and US critics alike recognized the stakes of the vote, and many opposed the line taken by the Roxas and Truman administrations. A Los Angeles–based group called the Philippine-American Anti-Parity Committee circulated criticism from US and Philippines officials warning that "political independence without economic independence would be a mockery" and that the parity rights fight would be "used as a yardstick in the struggle of all colonial people seeking independence."[4] Their

predictions proved accurate. US-based multinational corporations hoping to invest in the Philippines exulted in a decision that "marks the first departure from the readiness of certain underdeveloped nations since the depression to stand on their political sovereignty and invoke the principle of economic self-determination as warrant for ostracizing or confiscating foreign capital or limiting it in the future to a subordinate status."[5]

Filipino moderates like Finance Secretary Miguel Cuaderno, who also chaired the UN Economic and Social Commission for Asia and the Pacific (ECAFE), suggested that economic self-determination could take many forms. He told attendees of ECAFE's second meeting in Baguio that, though "naturally endowed with unlimited resources and sufficient manpower," newly independent nations in the region lacked the manufacturing base required for sustained economic growth and relied overwhelmingly on commodity production. "It is our conviction," he continued, "that as countries of the region make increasing strides toward political emancipation, the same measure of economic self-determination should be achieved by them." Cuaderno, who in 1949 became the first governor of the Philippines Central Bank, hoped to increase Manila's fiscal and macroeconomic policy autonomy to pursue what he elsewhere called "economic decolonization" via industrialization and agricultural diversification.[6] The Philippines was a harbinger. Like many decolonizing states it was born politically free and economically shackled, its sovereignty sharply constrained by the economic conditions imposed by the United States as a condition of independence and the legacies of colonial rule. Both Cuaderno and the Anti-Parity Committee were right to locate their conditional sovereignty within broader debates over the meaning of decolonization and human rights.[7]

As Filipinos voted, British investors gathered in Dutch-occupied zones of neighboring Indonesia and issued a warning that Republican forces there must "be prepared to give attractive investment prospects . . . before asking London or Amsterdam shareholders for new capital to rebuild Indonesia's economy from the aftermath of war and revolution." This included the return of confiscated foreign properties, capital guarantees, and tax and labor laws "conducive to industrial development." When Indonesia achieved its independence in 1949 after four years of war, the exhausted and impoverished republic was forced to assume nearly 4.3 billion guilders (about US$1.2 billion in 1950) in debt incurred by the Dutch in fighting them. In the Roundtable Agreement conferring sovereignty upon it, Indonesia's new leaders agreed to "adhere to [the] principle of recognizing the rights,

concessions and licenses granted under Netherlands Indies Law and valid at transfer of sovereignty."[8] Though nominally independent, Indonesia would likewise continue to be bound by colonial-era contracts and concessions.

Filipino and Indonesian leaders, like their counterparts in many parts of the colonial world, recognized that independence would mean little if they were forced to bear the economic burdens of colonial rule. Political self-determination alone was incomplete, merely one dimension of a broader quest for sovereignty in an international economic and political system dominated by the colonial powers and multinational firms. The CIA, surveying the landscape of newly independent nations in 1948, agreed: "These countries, most of them with a colonial background, find that though they have achieved political independence, their undeveloped economies, producing mostly raw materials and agricultural products, are still tied to those of the industrialized Western nations which provide markets for their goods. They are in essence still semi-colonial areas, for their economic dependence upon the metropolitan economies tends to vitiate their political independence. Therefore native nationalists have not been wholly satisfied by the achievement of political independence; they demand economic independence as well."[9] This quest for economic independence and sovereignty was central to the hopes of states emerging from colonialism or, in the case of many Central and Latin American nations, dominated by foreign firms and dependent on imported goods and capital long after the achievement of formal independence.

Specific policies emerged from that broad mission to wrench sovereignty from the world market. The Philippines, Indonesia, and other states sought to use national law to assert control over natural resources, indigenize foreign firms, regulate profit remittances, mobilize domestic capital, and pursue state-led programs of development that would lead to their integration with the world economy on fairer terms. This meant, first and foremost, challenging the continued control of their economies by former colonial powers, foreign firms that dominated agricultural, manufacturing, and extractive sectors, multilateral institutions that shaped the framework for the disbursement of development assistance, and a global trading system that favored the needs of advanced industrial economies and the companies residing in them over those countries dependent on producing primary products.[10] Latin American states pushed to create the UN Economic Commission for Latin America, led by Raul Prebisch, which advocated for

state-led industrialization and foreign exchange independence as a developmental path out of dependency on imported goods and capital.[11] Others hoped to follow the same road.

For the leaders of newly independent and poorer states, asserting a right to economic self-determination meant asserting new conceptions of sovereignty in the face of opposition from former colonial governments, foreign banks, investors, and firms that sought to sustain colonial-era contract and property-rights regimes. They did so largely through a transnational revolution in national law. But poor countries also faced the daunting challenge of decolonizing international law. As decolonization unfolded, colonial powers whose governments and scholars dominated international legal scholarship sought to universalize a particular vision of international law in order to bind independent states with duties privileging the rights of firms, capital, and alien property owners. Decolonizing states and scholars instead asserted new claims of political and economic sovereignty that would safeguard their more expansive conceptions of economic decolonization and self-determination. Among the boldest of these claims was that economic self-determination is a collective human right wielded by states over their land, resources, and finances, a claim increasingly made after 1950.[12]

The status of colonial-era property, capital, and concession claims in decolonizing states ranked among the most important issues in twentieth-century international law; few legal questions had more bearing on the global distribution of wealth after 1945. Just as a generation of postcolonial leaders, lawyers, and planners determined to claim economic self-determination as a human right, Western governments, firms, legal scholars, and observers rejected the notion that any such right existed. Even as they grudgingly accommodated the principle of political self-determination for most non-self-governing peoples, the United States and other great powers and the firms that resided in them sought to limit the economic sovereignty of poor and newly independent states over their own resources, instead emphasizing the rights of private property and capital. When such efforts at containing postcolonial economic sovereignty failed, many colonial area investors, firms, and wealthy metropolitan citizens sought to relocate to newly created tax-havens, often in other decolonizing states and territories looking to attract foreign capital as a basis for possible development planning.[13]

Over the course of the next four decades a wide range of actors deployed claims to economic self-determination as a political principle, a human right, and a way of envisioning sovereignty in an increasingly integrated world economy. These included anticolonial leaders in Asia and Africa, lawyers and technocrats from petroleum- and resource-rich nations, Latin American jurists and diplomats, and Indigenous peoples in many parts of the world. What one contemporary observer called the "virtually obsessive repetition" of claims to economic self-determination in multilateral forums underpinned many of the most important economic initiatives of the nations of the Global South after 1945, from the movement for permanent sovereignty over natural resources (PSNR) to calls for a right to development.[14]

Economic sovereignty claims were not derivative of broader notions of political and cultural self-determination, but deeply entwined with them.[15] Developing nation and anticolonial elites and activists understood the construction of new theories and legal doctrines of economic sovereignty as an indispensable prerequisite for their development prospects, as well as for more expansive visions of a more just global economy.[16] Economic self-determination claims were central to twentieth-century debates about the scope and nature of sovereignty and human rights, not just in the decolonizing world but among influential groups in industrial democracies as well. Such claims extended far beyond the movements for decolonization with which they were often associated. Western governments, companies, and the wielders of mobile capital worked to contain demands for economic self-determination with the same fervor they directed toward containing communism. Academic and legal scholars buttressed these efforts, deploying the logic of global welfare, rights and duties, comparative advantage, interdependence, and the sanctity of contracts to argue that no such right to economic self-determination existed. They strove instead "to reconcile mutual economic dependency with political self-determination." This was a fundamentally conservative worldview, bent on maintaining the global economic structures built in the age of empire. Economic sovereignty claims from below posed an existential threat to such an order, which was premised on the separation of political from economic sovereignty, respect for colonial-era property rights claims, the maintenance of unequal patterns of economic exchange, and imperial control over resource extraction, processing, and marketing.[17]

Precursors

European political and social theorists mostly failed to conceptualize the idea of economic self-determination before the turn of the twentieth century, focusing instead on the national question, state formation, and minority rights.[18] Lenin's famous meditation on self-determination examined the "economic foundation of national movements" not as a series of rights claims but as a developmental analysis of the "requirements of modern capitalism" as they related to the formation of nation-states.[19] Conceptions of economic self-determination grounded in rights claims began to emerge among nineteenth- and early twentieth-century Latin American jurists, intellectuals, and politicians as a response to British and US economic domination and military intervention. These diverse figures developed what one historian calls a "sovereignty–social rights complex" that asserted political sovereignty, equal rights, and territorial integrity as cornerstones of Latin American independence. They also subordinated property rights to conceptions of public utility, usually vested in a strong state.[20] Mexico's revolutionary 1917 constitution, which asserted state sovereignty over natural resources, offered one of the first and most important expressions of this idea. In the wake of the revolution Mexican diplomats worked to build regional consensus around juridical equality and economic sovereignty.[21] Mexican officials self-consciously framed their claims to resource sovereignty as part of an expansive vision of self-determination encompassing social and economic rights; this extended far beyond the narrow Wilsonian vision of political self-rule, tightly circumscribed by economic interdependence and imperial prerogatives. Independently, Soviet legal theorists began to theorize economic self-determination as a defense of socialist state planning in response to efforts by the League of Nations to develop rules for liberalizing world trade and finance.[22]

The revolutionary Venustiano Carranza government's declaration of resource sovereignty alarmed the world's major oil firms and Western governments, which rightfully feared Mexico's challenge to foreign investors and the so-called Open Door for Oil. Geologist Charles Kenneth Leith made both an antinationalist and global welfare case for the open door for natural resources in 1925 in the journal *Foreign Affairs*. He argued that the sovereignty of poorer nations would soon be "swept aside by the world's necessity for developing new resources and for preserving freedom of movement." Given the industrialized nations' inexhaustible demand for

petroleum and strategic minerals that were located in only a few places in the world, Leith wrote, "The North Atlantic countries will continue to be the great exploiters of mineral wealth, as in the past. In these countries originate the necessary wealth, skill, and driving power. In these countries originates the main outward thrust, commercial and political, against the remainder of the world. From the standpoint of mineral resources, no such thing as equality of nations exists. Economic self-determination in the field of natural resources is and will be possible only to the North Atlantic nations. . . . We need Mexico's minerals, and will get them."[23] Leith's remarks underscored the dominant US conception of economic self-determination—unlimited for Americans and sharply constrained for the rest of the world. José Kelly, general delegate of the Mexican Federation of Labor, rejected such claims, describing the furor over Mexico's petroleum nationalization as "no more than an episode in a young nation's fight for self-determination and democracy."[24]

The Mexican constitution and growing pressure against foreign ownership of oil in Mexico provoked anxious debate among Anglo-American international legal scholars and business observers over the threat to international property rights posed by the revolutionary assertion of national sovereignty over subsoil minerals. Mexican officials consciously asserted an insurgent legal doctrine of resource sovereignty for poor nations in which the right to self-determination trumped technological or political backwardness. A similar contest unfolded in League of Nations Mandate territories over the legal status of investments, contracts, and concessions acquired by foreign investors under mandate rule. While many who petitioned the Mandates Commission were demanding greater political freedoms, metropolitan businessmen, plantation owners, and investors expressed fears about the future of their property rights as the territories progressed toward greater self-government.

Mexican President Lázaro Cárdenas confirmed such fears when he nationalized the country's oil industry in March 1938. Oil nationalization was a signal moment in modern Latin American history, giving economic form to Mexico's political independence. It provided both a model for other nations to follow and a preview of future conflicts over resource sovereignty in the developing world.[25] Mexicans themselves presented the nationalization as consistent with long-standing Latin American calls for sovereign equality. With much of the world still mired in depression, however, many contemporary observers viewed Mexico's nationalization as a symptom of

the Depression-era abandonment of free trade in favor of autarky, rather than as an early assertion of resource nationalism or what would later become known as the doctrine of permanent sovereignty over natural resources.

Most contemporary journalists and scholars saw economic self-determination claims as a rejection of economic interdependence and comparative advantage. They viewed such demands as shorthand for the "misguided goals of national self-sufficiency, autarky, 'insulation' and 'autonomy'" pursued by Mexico, the Soviet Union, and the successor states of the Habsburg Empire. The US journal *The Dial* warned darkly of "a nationalistic preparation for economic battle, a conviction that nations must hereafter be not more, but less, dependent upon any other nation or group of nations."[26] *The Sydney Morning Herald* contrasted the integrated global economy of the prewar era to the post-Versailles system in which "undue emphasis on the doctrine of self-determination" by proliferating small states led to "a disastrous policy of economic self-determination" rather than to an acceptance of complementarity and comparative advantage. Speaking at the American Academy of Political and Social Science in 1934, Kolman de Buday, secretary of the National Hungarian Mortgage Institute, lamented that self-determination in Yugoslavia, Czechoslovakia, Poland, and Rumania had "'defeated its own end and ruined the dismembered countries." The only solution, he argued, was an abandonment of economic nationalism and the creation of a "great economic state" in the Danube Valley.[27] The retreat of major industrial powers during the 1930s to colonial trading systems or autarkic programs of national revival deepened such fears. Hitler's economic adviser Bernard Koehler described economic self-determination to German business leaders in Berlin as "the German contribution to the world economy." Future Foreign Minister Joachim von Ribbentrop proclaimed economic self-determination as the "inalienable sovereign right of a free people" denied access to raw materials and colonies and shut out of world markets by Britain and the United States.[28]

As war clouds descended upon Europe and Asia, the looming conflicts between the demand of anticolonial nationalists and Latin American states for economic self-determination and the demands of the United States and other great powers for markets, bases, and raw materials emerged in sharp relief. Although the Roosevelt administration had mostly accepted the regional principle of sovereign equality and self-determination under the Good Neighbor Policy, Secretary of State Dean Acheson framed Mexico's oil

nationalization as a threat to US national security. Wartime mobilization created an inexhaustible demand for raw materials and strategic minerals, and resource sovereignty claims threatened their speedy exploitation. Beginning in the late 1930s and accelerating after 1941, the US government exhaustively surveyed the mineral resources of the hemisphere and sought "cooperative mineral programs" with Latin American states to dramatically facilitate raw materials production and mineral extraction. Wartime mobilization and the simultaneous initiation of postwar planning exercises by the US government and myriad study groups deepened the commitment of many Americans to a vision of what one historian has called "resource globalism," under which "minerals across the world belonged to all the world."[29] Resource globalism animated the Atlantic Charter's calls for postwar economic cooperation and equal access to raw materials for all nations to ensure their effective exploitation. But as the African National Congress observed in 1943, calls for equal access seemed "likely to bring about a continuation of the exploitation of African resources to the detriment of her indigenous inhabitants and the enrichment of foreigners." British MP and Undersecretary of State for War Edward Grigg agreed. He suggested that overwhelming US economic power and demand for raw materials rendered economic self-determination "a mirage in the Colonial sphere," especially for producers of primary products.[30] British historian Alfred Cobban observed that "the whole problem of self-determination has now expanded beyond its traditional political framework" of the colonial areas. It now encompassed "economic relations between the US and the little states of Central America and the Caribbean," which the United States and Britain had long dominated, but where local leaders were demanding improved terms of trade, control over local resources, and autonomy in economic planning.[31]

US officials, business executives, and others in 1945 hardly contemplated the scope and breadth of demands for economic self-determination that would begin emanating from the decolonizing world. They expressed far more concern with the dismantling of colonial trading blocs and other barriers to the establishment of an integrated world economy. Postwar planners were committed to securing and maintaining access to a wide range of strategic minerals and raw materials—many of them located in non-self-governing territories—considered vital to military production and global trade more generally. Western officials and private business associations conceived of the natural resources of poor countries as a sort of global public trust whose efficient exploitation trumped the rights the states. In 1949,

the London-based International Co-Operative Alliance proposed the creation of a UN Petroleum Commission to the UN Economic and Social Council to control and administer the exploitation of oil resources of the Middle East in the "public interest" of consuming nations.[32] Such attempts to reconceptualize the raw materials of the colonial world reflected a pervasive anxiety among Western liberals and conservatives alike about the fragility of private property regimes and the need to institutionalize and safeguard the rights of foreign capital as decolonization began to unfold.[33]

With colonial governments firmly in control of institutions of global economic governance such as the International Bank for Reconstruction and Development, anticolonial movements and poorer states turned to South-South diplomacy, transnational solidarity, professional networks, and the United Nations as sites for asserting new conceptions of economic sovereignty.[34] As early as 1950, when the UN Commission on Human Rights voted to include self-determination in the post-UDHR human rights covenants, non-Western and newly independent countries signaled that they conceptualized self-determination as encompassing both political and economic sovereignty, building on legal and political theories stretching back decades.[35] Western diplomats, businessmen, and international legal scholars immediately recognized the economic implications of the rising tide of UN resolutions endorsing the right to self-determination, which threatened their vision of a decolonization process that decoupled political from economic sovereignty. So too did the leaders of the declining European empires. French officials, one US official wrote Dean Acheson, "are very much worried about the inclusion of any kind of article on self-determination, no matter how carefully drafted the language might be. They fear that this will lead to economic self-determination of peoples and not be limited to political self-determination alone." Recognition of such rights "might mean the abrogation of treaties and contracts in the economic field," with far-reaching consequences for French firms around the world.[36]

Western officials did not have to look far for confirmation of these fears. In March 1951, Iran's parliament voted to nationalize the Anglo-Iranian Oil Company (AIOC) after months of negotiations concerning its demands for an increased share of oil revenues. Iranian Prime Minister Mohammed Mossadegh later told the UN General Assembly that nationalization would not only fund national development but "ensure respect for our independence and for our right of self-determination" over Iran's resources.[37] When Iran rejected arbitration with AOIC, the British Labor government filed suit at

the International Court of Justice (ICJ), insisting that Iran was bound to its 1933 concession agreement. The ICJ case highlighted the indeterminacy of international law with regards to the meaning of economic sovereignty for newly independent states, as well as the rights of foreign investors. Whereas the colonial powers fought bitterly in defense of domestic jurisdiction with regard to human rights, they did the opposite when it came to property rights claims in former colonies. Iran, seeking to escape the straitjacket of colonial-era concession agreements, insisted that the ICJ and UN had no standing to intervene in what it considered a domestic dispute. Iran was exercising its right to internal self-determination, in other words, by asserting control over its own resources. The British government disagreed, arguing that the case had universal implications for contract rights, property rights, and Western civilization that superseded Iran's local interests. If Iran succeeded in nationalizing its oil, other nations with valuable natural resources would surely follow suit, establishing a de facto international legal right with grave implications for resource concession agreements around the world.[38] Seven years later, when the UN General Assembly voted to establish a Commission on Permanent Sovereignty over Natural Resources, Britain's UN representative took the opposite position, justifying its opposition to the resolution by arguing that the commission's work "would open the door to Assembly action in relation to matters of domestic jurisdiction."[39]

The Iranian oil nationalization and ICJ case spurred widespread debate among legal scholars, policymakers, and business leaders about the rights and duties of resource-producing nations and firms, as well as the role of new international institutions in defining how conflicts between them should be resolved. *The New York Times* observed that Britain "has had to be guided to a position of recognizing the justice of Iran's desire for economic self-determination and control of her own resources," while *The Times* of London characterized Iran's right to nationalization as an "essential element" of self-determination and "something much deeper than sovereignty itself."[40] Walter Levy, at the time the world's leading petroleum consultant, spoke for many Western observers who believed that the West's demand for the resources of poor countries trumped the latter's sovereignty. He asked "whether in a situation where a vital power position of the United States is at stake, it can afford to apply fully the normal and traditional laws of sovereign self-determination to the control of underdeveloped countries over the oil in their soil."[41] For Levy and many Western officials, the answer was self-evidently no.

Mossadegh's justification for oil nationalization reflected the rising influence of a group of mostly Western-trained lawyers, technocrats, and policymakers in postcolonial states like Iran who were attempting to forge new legal doctrines to accompany decolonization. Iranian lawyer Djalal Abdoh, who served as Tehran's UN representative, had long argued that the social needs of developing nations outweighed the sanctity of contracts forged during the colonial era.[42] In November 1951, Poland introduced a draft resolution supported by other socialist states stating that long-term trade agreements could not contain any economic or political conditions violating "the sovereign rights of economically under-developed countries."[43] Shortly after, as frustration mounted over Western obstructionism and delaying tactics in the Commission on Human Rights, Chilean diplomat and lawyer Hernan Santa Cruz proposed amending the draft human rights covenants to state that the "right of people to self-determination included the economic right to control all of their natural resources," what he called "permanent sovereignty over natural resources." Santa Cruz's conception of permanent sovereignty built on the early work of the UN Economic Commission for Latin America, which he had created four years earlier. The Chilean proposal connected Latin American concerns about dependency and resource sovereignty with those of the decolonizing world and was a crucial turning point in the history of self-determination and human rights.[44] It set off a fierce, decade-long debate over some of the most basic questions in international law concerning the property rights of foreign investors, the status of subsoil resources, the contractual rights and duties of states, and the very meaning of economic sovereignty. These debates culminated a decade later in the landmark UN Resolution 1803 on Permanent Sovereignty over Natural Resources.[45]

In 1952 alone, the UN General Assembly, ECOSOC Committee, and the Commission on Human Rights passed half a dozen resolutions explicitly linking economic self-determination, resource sovereignty, human rights, and the needs of developing countries, with a majority of Latin American states joining Afghanistan, Iran, Saudi Arabia, and Indonesia in support. On November 5 1952, Uruguay submitted a draft resolution, later passed largely along North-South lines, that called on member states to respect "the right of each country to nationalize and freely exploit its natural wealth, as an essential factor of economic independence."[46] A host of Latin American and Middle Eastern states promptly invoked the so-called nationalization resolution in support of their new domestic legislation. When Guatemala's

Congress passed a land reform law expropriating the unused land of large landowners, including the United Fruit Company, it pointed to the nationalization resolution as justification for its actions.[47] Guatemala's UN ambassador, Villamar Contreras, cast his country's actions as a continuation of the "historic struggles" of Latin American and Middle Eastern countries for their independence. This included measures to safeguard political and economic interests "by nationalizing the main sources of the national wealth in order to provide better living standards for its people, as Mexico, Iran, and Bolivia had done."[48] Noting his own nation's recent nationalization of its tin mines, Bolivia's UN delegate insisted that "political sovereignty was meaningless unless it rested on economic sovereignty" and that "an article on the right of self-determination applying to civil and political rights would be useless unless it also applied to economic rights."[49] A broad range of transnational civil society organizations agreed, including the anti-communist International Confederation of Free Trade Unions and the Afro-Asian Lawyers Association (AALA). The AALA in 1957 called self-determination "a permanent and all-embracing right" and nationalization "a means for bolstering the national economy and . . . a legitimate right of the state."[50]

For many states economic self-determination meant more than just the right to resource sovereignty or nationalization. It also encompassed macroeconomic policy autonomy, control over national currency, the development of national industry, import-substitution industrialization, and self-sufficiency. The emphasis was always on sovereignty and thus national law and policy. But it was also pointedly internationalist in its justification. A 1952 advertisement for the Hindustan Motors Company (whose slogan was "Assist Us to Enrich the Country") depicted the flight of rupees to purchase foreign automobiles as a form of theft from Indian workers deprived of local manufacturing jobs. The ad quoted an observation by former Czech Foreign Minister Jan Masaryk, "No political independence is stable without the economic self-determination of her people!" (Figure 4.1).[51]

Latin American diplomats and legal scholars saw clear connections between their own struggles against US and British economic domination and contemporary anticolonial movements. Speaking at the University of Florida in 1952, Hernan Santa Cruz suggested that Latin American republics, with their long histories of independence and support for self-determination, could help to channel the "just nationalistic yearnings" of decolonizing states along peaceful lines, given their common experience of colonial exploitation and unequal exchange. Santa Cruz identified

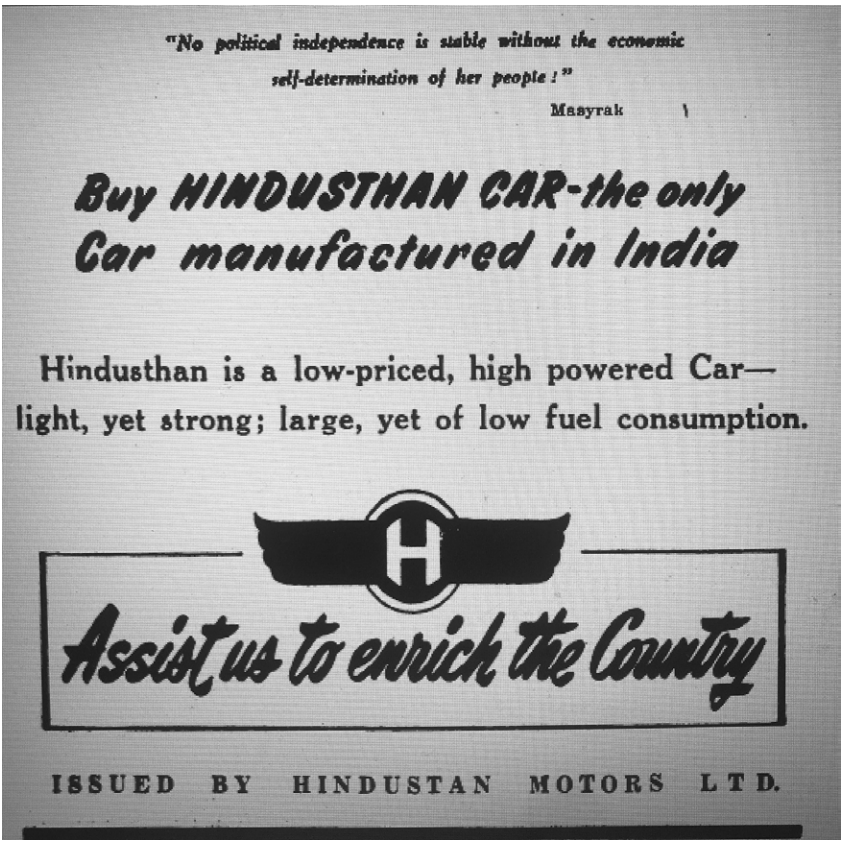

"No political independence is stable without the economic self-determination of her people!"
Masyrak
Buy HINDUSTHAN CAR-the only Car manufactured in India
Hindusthan is a low-priced, high powered Car—light, yet strong; large, yet of low fuel consumption.
H
Assist us to enrich the Country
ISSUED BY HINDUSTAN MOTORS LTD.

Figure 4.1 Part of an August 1952 advertisement in the *Times of India* for Hindustan Motors Ltd.

"recognition of the right to self-determination of natural resources" as an essential element of constructive Pan-Americanism and defended efforts by Latin American republics "in the exercise of their sovereignty, to obtain a greater participation in the exploitation of their own natural resources and in the product of the work of their inhabitants." The Chilean, Ecuadoran, Peruvian, and Argentinian delegations to the UN agreed, telling the Third Committee that "anyone who doubted the right of ownership of natural resources ipso facto cast doubt on the right of self-determination itself."[52]

Critics like Edmund Kellogg, a former member of the US delegation in New York, dismissed UN resolutions on permanent sovereignty as "emotional surges" by uneducated delegates from countries "where there as of yet is no effective body of capitalistic thought."[53] In the early 1950s,

diplomats, legal scholars, multinational corporations, and others had reached no consensus on the legal implications of UN General Assembly resolutions, especially concerning property rights. Multinational firms feared that such UN resolutions might be cited as legal precedents in international or domestic courts. Mexican lawyer Jorge Castaneda agreed, arguing that newly independent countries were engaging in "indirect rebellion… against the application of existing international law" by developing new concepts of sovereignty. UN resolutions, he suggested, could over time "have considerable juridical value, very close to compulsory character."[54] In fact, courts in both Japan and Italy cited the UN resolutions on nationalization and economic self-determination as "a clear recognition of the international lawfulness" of the Iranian parliament's nationalization of AIOC.[55]

International law became an important site for debating the rules of the global economy in an era of decolonization. Indonesian officials, for example, cited the 1952 nationalization resolution when parliament passed a law in 1958 nationalizing all remaining Dutch properties. When Dutch officials sued in a German court to prevent Indonesian officials from trading tobacco seized from a Dutch plantation, the Bremen Court of Appeal cited the 1952 UN resolution in ruling the nationalization of Dutch companies legal. Indonesian lawyer Mochtar Kusumaatmadja rejected Dutch demands for "prompt, adequate, effective" compensation in line with the so-called Hull Standard and instead made the case for domestic determination of compensation at a level befitting Indonesia's ability as a "new state" to pay.[56] These views grew so powerful in the 1950s and early 1960s that they emerged as something of a consensus. A decade later, after a flood of similar UN resolutions, legal experts with the British Foreign Office worried that such declarations might be "construed by some states as evidencing the existing state of customary international law applicable to the relationship between a state and foreign nationals relative to the exploration, development and disposition of the state's natural wealth and resources."[57]

Where newly independent states and their allies saw economic sovereignty claims as a tool of potential liberation, opponents saw catastrophe. Western officials, business leaders (especially in the extractive sector), legal scholars, and social scientists viewed assertions of a right to economic self-determination, resource sovereignty, or nationalizations as threats to the framework of foreign trade and investment underpinning the entire world economy. They responded with corresponding alarm. The US Chamber of Commerce and representatives of Socony Vacuum, General Motors,

ARAMCO, and other multinational firms besieged State Department officials with apocalyptic warnings about the threat posed to American investments abroad.[58] The Chamber's UN representative, Earl Cruickshank, even wrote Roger Baldwin of the International League for Human Rights to urge that they work together to support a more narrow UN rights program focused on civil and political rights and excluding economic and social rights. Baldwin agreed, as did other human rights organizations. The World Jewish Congress warned that postcolonial nations' insistence on acknowledging economic sovereignty as a human right threatened to derail Western support for the civil and political rights covenant.[59] When it came to acknowledging a right to economic self-determination, many human rights and anticolonial groups were firmly on the side of the colonial powers.

Inside the UN itself, US, French, British, and other Western officials waged a fierce rearguard battle against the rising tide of Third World economic nationalism. In public debates, committee negotiations, and scores of private meetings they argued that there was no such thing as economic self-determination. They insisted that economic and resource sovereignty claims had no place in the Commission on Human Rights, would provide license for a wave of expropriation, and threatened capital flight from developing nations, thereby imperiling their economic futures.[60] Critics of the UN like Robert Byfield decried the actions of "have-not" countries as a form of "hate speech," an attack on "the American concept of property rights" and a step on the slippery slope toward one-world government. Legal scholar Clyde Eagleton fumed that the expansive self-determination claims being voiced in the Commission on Human Rights "take no account of reason, or justice, or practicality; they simply bespeak desires.… Colonial powers have nothing to apologize for. What they did was legal at the time. Now are they to be expected to sit back while their investments in their colonies are challenged?"[61]

National and international business groups across the industrialized world viewed proposals to enshrine PSNR as a human right as a grave danger to global property rights and the free flow of natural resources. They responded with a range of proposals, some dating back to the 1930s, to codify international property rights in any permanent sovereignty resolution. The International Chamber of Commerce, which held observer status at the UN, first proposed an International Code to Protect Foreign Investments in 1947. Similar proposals proliferated over the next decade. They sought to guarantee the free flow of capital and resources, greatly

restrict the rights of host governments to nationalize and expropriate foreign-owned property and resources, universalize the US formula of "prompt, adequate, and effective" compensation in the event of nationalization, and require international arbitration of disputes between host countries and foreign firms.[62]

Debates about the scope and meaning of economic self-determination occupied a prominent, but largely ignored role in the work of the UN Commission on Human Rights, the ECOSOC, and the Decolonization Committee for the remainder of the decade.[63] During the Tenth UN General Assembly Session held in September 1954 the Commission on Human Rights recommended establishment of a commission to survey the right of peoples and nations to "permanent sovereignty over their natural wealth and resources," noting that this right formed a "basic constituent of the right to self-determination." The US delegation warned that such a commission "would constitute a continuing inquiry into the rights of private capital abroad" and "run counter to the protection and encouragement of American private investment."[64] Surveying the dismal landscape, one Eisenhower administration official declared the White House had two priorities at the UN: to block China from UN membership and "to prevent conclusion of treaties in the field of Human Rights."[65] The United States was hardly alone in its quest to derail or defang discussion of economic self-determination and PSNR, a concern shared by many Western states with multinational extractive firms, in particular France, Japan, and the United Kingdom.[66]

By 1955, opponents of permanent sovereignty lacked the votes within the UN to block effective action, as newly independent states, the socialist bloc, and Latin American nations joined forces. In July, the Economic and Social Council forwarded to the General Assembly two draft resolutions: the first to establish a commission to study PSNR, and the second to establish an ad hoc committee "to examine any situation resulting from alleged denial or inadequate realization of the right of self-determination."[67] US officials pleaded with Chilean Ambassador Rudecindo Ortega Masson for help in "eliminating, watering down or postponing" discussion of language affirming a right to economic sovereignty. They warned of the alarm expressed by US businesses and the threat to developing nations' ability to attract foreign capital. Failing that, they tried delay a vote by proposing open-ended committees to study of the meaning of self-determination. Washington also revived a 1949 Panamanian draft declaration on the rights and duties of states to include greater protections for foreign investment.[68]

Eastern European delegations bitterly criticized US delaying tactics, sharing Saudi Ambassador Jamil Baroody's criticism of US proposals as diversionary attempts to kill PSNR deliberations altogether.[69]

After nearly three years of failed attempts by Western states and firms to derail UN action, the Economic and Social Council in December 1958 established the eight-member Commission on Permanent Sovereignty over Natural Resources under the leadership of Oscar Schachter, head of the General Legal Division of the UN Secretariat. Between 1959 and 1962 the commission held three sets of hearings and more than thirty meetings, while compiling information on constitutions, trade agreements, and national laws concerning natural resources around the world.[70] At the UN, British, US, and Dutch officials met with oil company representatives, who "played [a] major role in consultation with Western missions in drafting language, offering suggestions for amendments on the importance of private capital, [and] the need for prompt and adequate compensation" in cases of expropriation.[71] French diplomats worked assiduously to convince Indigenous colonial officials that acknowledgment of permanent sovereignty would lead to capital flight and starve newly independent states of funds for development.[72] As the commission prepared a draft PSNR resolution in late 1961, the British mission to the UN organized more than thirty seminars touting the importance of oil companies to the economic development of postcolonial nations, stressing the distinction between their contractual obligations and the "principle" of self-determination.[73] Multinational firms and legal groups including the American Bar Association furiously lobbied Western governments for more explicit recognition of the sanctity of contracts, the need for international arbitration in the event of expropriation of natural resources, the legitimacy of acquired rights, and other measures that would eviscerate the most potent language affirming the economic sovereignty of resource-producing states. "Many of the detailed amendments" to the draft resolution "were proposed to us by Shell," one British official observed appreciatively.[74]

Advocates of permanent sovereignty could by 1961 draw on a growing body of legal scholarship from across the postcolonial world and Latin America, and especially from petroleum-producing states. In 1956 Burma, Ceylon, India, Indonesia, Iraq, Japan, and Syria (later joined by Egypt) formed the Asian-African Legal Consultative Committee (AALCC) to develop a common set of positions on the codification of international law, especially with regard to colonial succession and property rights. The

AALCC, which offered technical advice to the UN International Law Committee, argued that the UN Charter's commitment to human rights, sovereign equality, and self-determination of peoples "necessarily abrogated or altered elements of the 'traditional' law of state responsibility for injuries to aliens." Against colonial efforts to universalize international property rights and create common standards for compensation in the case of nationalization, jurists and legal scholars from AALCC member states offered an expansive conception of self-determination that deferred substantially to domestic jurisdiction, municipal courts, and the developmental needs of decolonizing states.[75]

Permanent sovereignty supporters could also rely on the growing body of legislation in postcolonial states regulating the operations of foreign corporations and codifying state control over natural resources. The commission's first report surveyed laws from Latin America, North Africa, and Asia asserting resource sovereignty or weakening the colonial-era contract rights of foreign firms. Indonesia's parliament, for example, had recently expropriated Dutch enterprises and plantations and frozen colonial mineral concession agreements while it drafted new legislation requiring indigenization of personnel, shortening the length of concessions, asserting greater subsoil resource rights, and increasing the government's share of royalties from mineral extraction.[76] At the request of US, Japanese, and other critics, the commission's second report also surveyed "the rights and duties of states" with regards to "property and business activities of foreign nationals and their enterprises," including dozens of US and European treaties and laws dating back to the interwar period. The commission's work highlighted the dominance of US and European treaty making on investor rights: More than one-third of the thirty-six treaties and laws surveyed were of US origin; one-third were between advanced industrial states (the United States and Europe/Japan, or some combination); and one-third were between advanced states and underdeveloped states. The commission report included only five bilateral investment treaties between postcolonial or Latin American states.[77]

The Cuban Revolution loomed large in these discussions. The Havana Declaration issued by Fidel Castro's revolutionary government upon coming to power in September 1960 framed self-determination in the context of Latin America's long history of resistance to US intervention and empire. It also fiercely defended Cuba's nationalization of foreign-owned properties and resource sovereignty, not as a realization of emerging doctrines of Third World international law but as a right of revolution. Radical

anticolonial leaders such as Indonesian President Sukarno traveled to Havana, where he and Castro expressed their "positive adherence to the ideals of self-determination, political freedom, economic development and social justice," which they argued were both Latin American and Afro-Asian principles.[78] Even Latin American governments otherwise critical of Castro's radicalism, such as Mexico, defended Cuba's right to choose its own form of government free from US intervention and celebrated their own support for the principles of self-determination and noninterference in the internal affairs of states.[79] US efforts to overthrow Castro in Cuba and Cheddi Jagan in Guyana, and the Johnson administration's 1965 invasion of the Dominican Republic helped spur efforts at the UN to enshrine nonintervention as a basic principle of international law.[80] That December the UN General Assembly overwhelmingly passed Resolution 2131 affirming the inadmissibility of intervention in the domestic affairs of states. Honduras's UN representative noted the long-standing support for nonintervention in Latin America, codified in the 1933 Convention on the Rights and Duties of States, which represented "an indispensable basis for ensuring independence and territorial integrity and for guaranteeing the legitimate and permanent self-determination of peoples."[81]

US officials in both the Eisenhower and Kennedy administrations worried deeply about the resonance of Cuba's radical vision of economic and political sovereignty in the Western Hemisphere and around the world. The CIA warned that the Cuban Revolution had already inspired "a much stronger feeling that the Latin American states can be masters of their own destinies" and had compelled leaders in the region "at least to strike a pose of independence and self-determination."[82] Latin American anticommunists agreed. Meeting with Kennedy in September 1961, former Brazilian President Juscelino Kubitschek complained that Havana "had become another Berlin for the more vocal and articulate left-wing elements in Latin America." As a result, he fumed, "Many people thought of self-determination only in terms of Cuba, never of Berlin." An anticommunist alternative to Cuba's radical sovereignty claims, he insisted, was needed.[83]

A few months later, anti-communist front groups emerged to promote just such "Free World" alternatives.[84] In December 1961 a group called the Committee for Self-Determination incorporated in New York City. The advisory board included prominent US liberals such as Sydney Hook, Socialist Party presidential candidate Norman Thomas, Catholics such as

the archbishop of Boston and president of Fordham University, Executive Director of the Woodrow Wilson Foundation Julie Herzog, Executive Director of the Alfred P. Sloan Foundation and political scientist Arnold Zurcher, and columnist Drew Pearson. The committee described its anti-communist aims in frank terms: "To educate public opinion at home and abroad, especially in the uncommitted and former colonial countries, regarding the clear danger of the new type of Sino-Soviet colonialism" and "to press for the prompt realization of full self-determination for the remaining Western colonies…as soon as the peoples of such countries have reached the appropriate level of maturity necessary for independent statehood" (Figure 4.2).[85] The committee received more than $120,000 from the New York–based International Development Foundation, a CIA front group that funneled covert funds to a variety of groups promoting anti-communist "leadership programs" in Latin America. Aside from the pamphlet announcing its existence, however, the committee never published a single word, held a single public meeting, or generated a single line of news.

The real target was apparently Latin America, where the Comité pro-Autodeterminación de los Pueblos formed in Argentina, Colombia, Brazil, Ecuador, Peru, and Uruguay in late 1961 and early 1962 (Figure 4.3).[86] The Argentinian committee was representative, consisting of prominent liberal anti-communist politicians, journalists, religious, and labor leaders, including Deputy of the People's Radical Party Jorge Walter Perkins, former Minister of Justice Prado Kelly, and Secretary of Education Carlos Rizzini. Local coverage frankly acknowledged the anti-Cuban, anti-communist goals of the committees, which were only slightly more productive than their North American counterpart.[87] Most held a few meetings, generated local press coverage, issued ringing endorsements of liberal self-determination, denounced Cuba and the Soviet Union, and then disappeared. By the end of 1962, following Cuba's expulsion from the Organization of American States and passage of UN Resolution 1803, the self-determination committees appear to have vanished. It was an extraordinary testimony to the perceived danger posed by economic self-determination claims.

Western official and business efforts to sink the PSNR process, covert and otherwise, proved ineffective. After months of contentious debate in the Economic and Social Council and the UNGA's Second Committee, the General Assembly in December 1962 adopted Resolution 1803 (XVII). The resolution affirmed "the right of peoples and nations to permanent sovereignty over their natural wealth and resources as a basic constituent of the

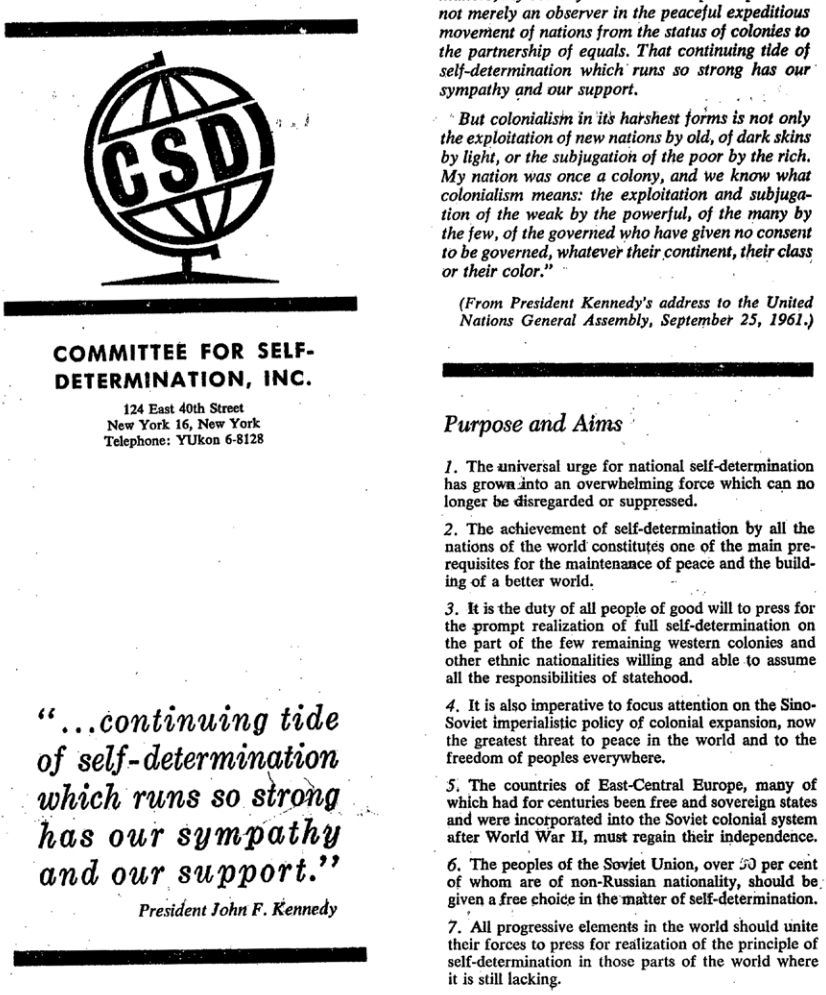
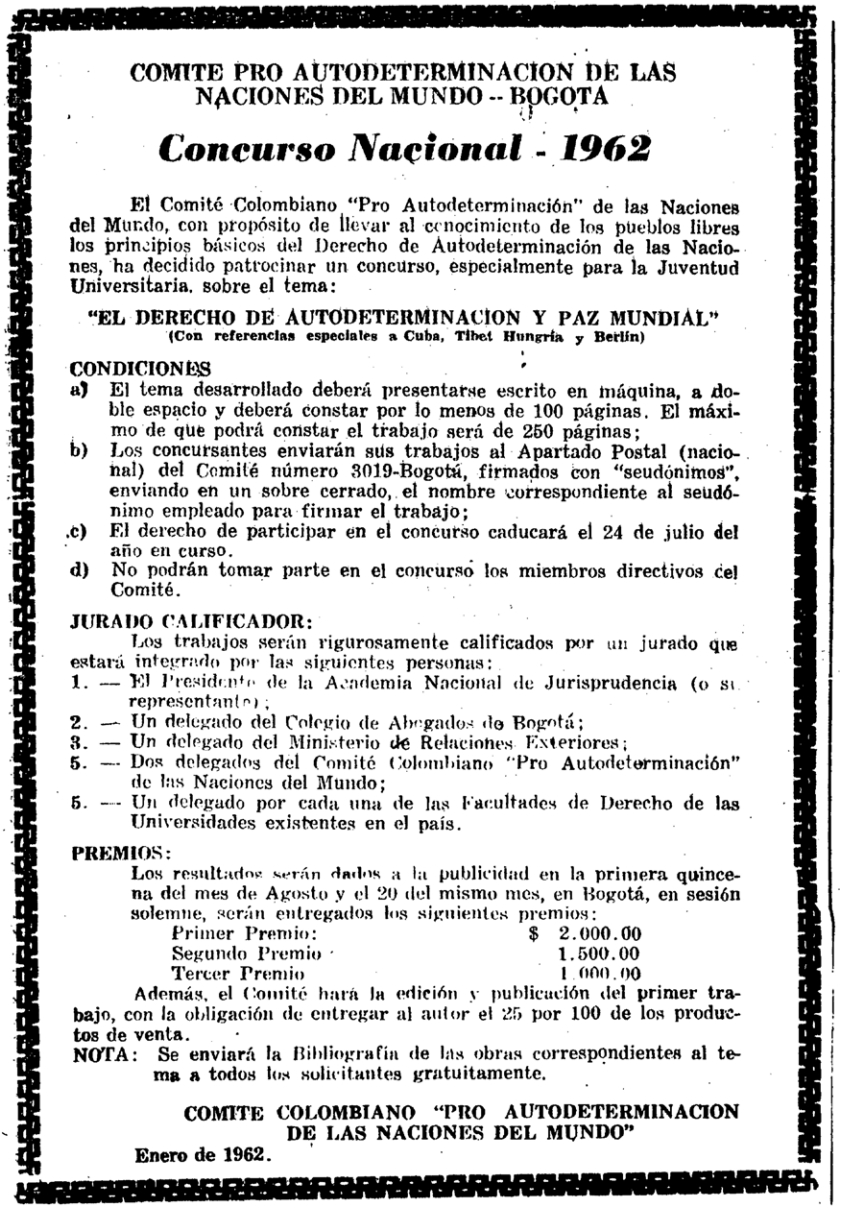

CSD
COMMITTEE FOR SELF-DETERMINATION, INC.
124 East 40th Street
New York 16, New York
Telephone: YUkon 6-8128
"...continuing tide of self-determination which runs so strong has our sympathy and our support."
President John F. Kennedy
"Within the limits of our responsibility in such matters, my country intends to be a participant and not merely an observer in the peaceful expeditious movement of nations from the status of colonies to the partnership of equals. That continuing tide of self-determination which runs so strong has our sympathy and our support.
But colonialism in its harshest forms is not only the exploitation of new nations by old, of dark skins by light, or the subjugation of the poor by the rich. My nation was once a colony, and we know what colonialism means: the exploitation and subjugation of the weak by the powerful, of the many by the few, of the governed who have given no consent to be governed, whatever their continent, their class or their color."
(From President Kennedy's address to the United Nations General Assembly, September 25, 1961.)
Purpose and Aims
1. The universal urge for national self-determination has grown into an overwhelming force which can no longer be disregarded or suppressed.
2. The achievement of self-determination by all the nations of the world constitutes one of the main prerequisites for the maintenance of peace and the building of a better world.
3. It is the duty of all people of good will to press for the prompt realization of full self-determination on the part of the few remaining western colonies and other ethnic nationalities willing and able to assume all the responsibilities of statehood.
4. It is also imperative to focus attention on the Sino-Soviet imperialistic policy of colonial expansion, now the greatest threat to peace in the world and to the freedom of peoples everywhere.
5. The countries of East-Central Europe, many of which had for centuries been free and sovereign states and were incorporated into the Soviet colonial system after World War II, must regain their independence.
6. The peoples of the Soviet Union, over 50 per cent of whom are of non-Russian nationality, should be given a free choice in the matter of self-determination.
7. All progressive elements in the world should unite their forces to press for realization of the principle of self-determination in those parts of the world where it is still lacking.

Figure 4.2 A 1961 pamphlet from the short-lived Committee for Self-Determination, Inc. US Central Intelligence Agency.

right to self-determination," stating that "economic and financial agreements between the developed and the developing countries must be based on the principles of equality and of the right of peoples and nations to self-determination." It also noted that "creation and strengthening of the inalienable sovereignty of states over their natural wealth and resources reinforces their economic independence."[88]



COMITE PRO AUTODETERMINACION DE LAS NACIONES DEL MUNDO -- BOGOTA

Concurso Nacional - 1962

El Comité Colombiano "Pro Autodeterminación" de las Naciones del Mundo, con propósito de llevar al conocimiento de los pueblos libres los principios básicos del Derecho de Autodeterminación de las Naciones, ha decidido patrocinar un concurso, especialmente para la Juventud Universitaria, sobre el tema:

"EL DERECHO DE AUTODETERMINACION Y PAZ MUNDIAL"
(Con referencias especiales a Cuba, Tibet Hungría y Berlín)

CONDICIONES

a) El tema desarrollado deberá presentarse escrito en máquina, a doble espacio y deberá constar por lo menos de 100 páginas. El máximo de que podrá constar el trabajo será de 250 páginas;
b) Los concursantes enviarán sus trabajos al Apartado Postal (nacional) del Comité número 3019-Bogotá, firmados con "seudónimos", enviando en un sobre cerrado, el nombre correspondiente al seudónimo empleado para firmar el trabajo;
c) El derecho de participar en el concurso caducará el 24 de julio del año en curso.
d) No podrán tomar parte en el concurso los miembros directivos del Comité.

JURADO CALIFICADOR:

Los trabajos serán rigurosamente calificados por un jurado que estará integrado por las siguientes personas:

1. — El Presidente de la Academia Nacional de Jurisprudencia (o su representante);
2. — Un delegado del Colegio de Abogados de Bogotá;
3. — Un delegado del Ministerio de Relaciones Exteriores;
5. — Dos delegados del Comité Colombiano "Pro Autodeterminación" de las Naciones del Mundo;
5. — Un delegado por cada una de las Facultades de Derecho de las Universidades existentes en el país.

PREMIOS:

Los resultados serán dados a la publicidad en la primera quincena del mes de Agosto y el 20 del mismo mes, en Bogotá, en sesión solemne, serán entregados los siguientes premios:

Primer Premio:	$ 2.000.00
Segundo Premio	1.500.00
Tercer Premio	1.000.00

Además, el Comité hará la edición y publicación del primer trabajo, con la obligación de entregar al autor el 25 por 100 de los productos de venta.

NOTA: Se enviará la Bibliografía de las obras correspondientes al tema a todos los solicitantes gratuitamente.

COMITE COLOMBIANO "PRO AUTODETERMINACION DE LAS NACIONES DEL MUNDO"

Enero de 1962.

Figure 4.3 A 1962 flyer from the Comite Pro Autodeterminacion de Las Naciones Del Mundo—Bogota. US Central Intelligence Agency.

Western nations managed to secure reference to the benefits of economic cooperation and the need to honor contracts. They also blocked two Soviet-sponsored amendments asserting even more expansive rights to nationalization and expropriation.[89] In light of the alternatives, US Secretary of State Dean Rusk wrote President Kennedy, Resolution 1803 was a "remarkably good declaration" that "affirms the importance and the legal rights of private investors in the less developed countries."[90] But many Western officials and legal observers viewed it as a disaster. German émigré Georg Schwarzenberger, one of the leading scholars of international economic law, condemned the PSNR resolution as an "outright denial of the rule of international customary law . . . a pseudo-legal ideology of international lawlessness."[91]

Petroleum- and mineral-producing states quickly seized upon Resolution 1803 to legitimize new laws asserting resource sovereignty. Algeria's new government hoped to use the PSNR resolution to strike down colonial-era contracts and property rights. Under the 1962 Evian Accords Algeria recognized French-granted concession agreements, gave France 50 percent control of the oil advisory committee Organisme Sahara, and placed no limits on profit repatriation while Algerians remained. As a result, the CIA reported, Algeria received only US$0.28 per barrel of oil, barely one-third as much as other oil-producing Middle Eastern and Latin American nations. Algerian jurist Mohammed Bedjaoui insisted on the rollback of colonial accession rights in the petroleum sector as an indispensable foundation of Algeria's economic self-determination and sovereignty.[92] Within months of joining the UN, Algeria proposed an amendment to the PSNR resolution stating that "the obligations of international law cannot apply to alleged rights acquired before accession to full national sovereignty of formerly colonized countries and that, consequently, such alleged acquired rights must be subject to review as between equally sovereign states." A year later Algiers established a national oil company, SONATRACH, and began the long, slow fight to wrest control of its petroleum affairs from Paris.[93]

The PSNR resolution capped an extraordinary burst of energy in which the General Assembly and various committees passed more than three dozen resolutions and published more than a score of reports rooting permanent sovereignty over national resources in the right to economic self-determination. Bookending the PSNR resolution were the 1960 declaration on decolonization and the establishment in 1964 of the Group of 77, a caucus of nations, many newly independent, working to develop a common program around development issues at the UN, culminating that

December in the formation of the UN Conference on Trade and Development (UNCTAD). Two years later the General Assembly approved the 1966 human rights covenants, which affirmed the right of self-determination and the right of states emerging from colonialism to "freely determine their political status and freely pursue their economic, social and cultural development." The Johnson administration justified its rejection of the covenants on precisely these grounds (as did the ABA's board of governors), arguing that Article 1(2), which stated, "All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice," did not provide for the "prompt, adequate and effective compensation" Washington demanded in the case of nationalization of foreign firms.[94]

But the die had been cast. UN endorsement of the right of PSNR transformed international law and enhanced the power of resource-producing countries. Dozens of states in the late 1960s and early 1970s cited Resolution 1803 and others affirming the right to economic self-determination to demand the renegotiation of colonial-era concession agreements or justify the nationalization or expropriation of foreign firms and extractive resources. Iraq did this when it began nationalizing its petroleum in 1967, and other OPEC members would do the same in years to come. Others invoked Resolution 1803 to demand greater sovereignty over oil and gas management, as Indonesian Minister of Mines Ibnu Sutowo did when Indonesia signed the first "production-sharing" agreements with Western oil companies in 1967.[95] At the 1968 Tehran Conference marking the twentieth anniversary of the UDHR, attendees emphasized the economic dimensions of human rights and self-determination.[96] Over the course of the decade a growing number of postcolonial and developing state governments launched a bold challenge to the position of Western capital, nationalizing or expropriating natural resources from scores of Western firms.[97] African leaders like Kwame Nkrumah and Julius Nyerere, who at the start of the decade told their fellow anticolonialists to "seek ye first the political kingdom," by the end of it were declaring that "if we are to remain free, if we are to enjoy the benefits of Africa's enormous wealth, we must unite to plan the exploitation of our human and material resources in the interest of all of our people."[98] Though Western governments continued to chafe at its assertion, former chairman of the African Commission on Human and Peoples' Rights Oji Umozurike could write in 1970 that "economic self-determination is now a recognized principle of International Law."[99]

In response to the threat posed by PSNR, wealthy states worked to accommodate and blunt economic decolonization by enfolding it in new international regimes of investment and property rights protection and arbitration. As the UN General Assembly voted to establish the Commission on Permanent Sovereignty, the Organization for Economic Co-operation and Development (OECD) initiated discussion on a Draft Convention on the Protection of Foreign Property, which it eventually ratified in 1967. The OECD proclaimed that the convention would "have an effect on the flow of investments towards those developing countries which will accede to it," while affirming and extending customary international law regarding the protection of private property. In early 1961 the World Bank began work on a similar international convention on the settlement of investment disputes, convening scores of consultative meetings with legal experts from more than eighty World Bank member states. The bank also consulted with the American Bar Association, which quickly formed a Working Group on Multi-National Guarantees of Foreign Investment.[100]

Three years later World Bank members ratified the Convention on Settlement of Investment Disputes between States and Nationals of Other States. The convention spelled out its expectations and established an International Center for the Settlement of Investment Disputes, carrying forward the International Chamber of Commerce's visionary proposals from twenty years earlier. UNCTAD and other multilateral bodies made similar proposals. Crucially, both initiatives sought to affirm and strengthen international arbitration mechanisms as a means of universalizing what developing countries insisted were domestic disputes involving private actors. Just as UN Resolution 1803 sought to constitute PSNR as customary international law, capital-exporting countries sought to do the same for investor and property rights.[101]

The growing legal standing of economic self-determination and permanent sovereignty claims changed the political landscape in which the colonial powers negotiated succession agreements with non-self-governing territories.[102] Nearly two decades of legal precedents involving Iran, Egypt, Indonesia, Guatemala, and other countries, countless statements from multilateral organizations, regional and global gatherings of Third World elites, and myriad UN resolutions had established the principle that newly independent countries were not bound to exploitative colonial-era concession agreements and contracts, and that economic self-determination and PSNR were fundamental human rights. Moreover, the Commission on Permanent

Sovereignty, anticolonial elites, lawyers, and legal theorists had created a repertoire of contracts and legal concepts for resource-producing states to draw upon when negotiating the postindependence status of extractive and manufacturing firms.

Western political scientists continued to wring their hands about the implications of acknowledging a right to economic self-determination. Many argued that "the problem would be simpler if self-determination had never been called a right and if the limits of its application had been more clearly specified from the first." Later accounts simply wrote economic claims out of the history of self-determination entirely.[103] But international legal scholars began to acknowledge, however reluctantly, that economic self-determination had attained significant standing both as a human right and as a legal principle.[104] Perhaps more significantly, multinational firms in the extractive sector began to factor the growing risk of expropriation into their long-term planning, a sure sign that they viewed PSNR and the right to economic self-determination more generally as customary international law.[105] On the eve of a regional meeting in Mexico on the Charter of Economic Rights and Duties, the British ambassador to the UN warned London that the continuing debate on the right of economic self-determination was no longer "just a question of U.N. semantics but of what is going to happen to our assets around the world in the years ahead."[106]

Latin American and socialist states were among the most vociferous in asserting economic self-determination as a human right, especially when it came to restraining the prerogatives of transnational corporations. In the midst of Security Council discussions over the Panama Canal Zone, the Latin American Foreign Ministers' conference in Bogotá declared that any efforts to pressure member states over the disposition of their natural resources violated UN principles of self-determination and noninterference in the internal affairs of states.[107] Chile's foreign minister under Salvador Allende told the UN Commission on Human Rights in March 1973 that "Third World countries cannot give all human rights because they are confined by poverty, dependency and exploitation." A "new concept of self-determination" was needed, he added, which would comprehend political, economic, and social aspects and account for the role of multinational corporations that "violate self-determination by penetrating societies and subjugating peoples." The Socialist administration of Salvador Allende explicitly justified its program of expropriation, land reform, and limit on "excess profits" as an expression of Chile's right to self-determination.[108]

East Germany's ambassador to the UN agreed, stating that "political liberation and economic liberation are closely related . . . it is high time to examine the detrimental effects of the operations of transnational monopolies on the realization of human rights and to take national and international measures for that purpose." East German diplomats and scholars developed a coherent socialist vision of self-determination rooted in state sovereignty against the market, which they viewed as essential for the broader realization of human rights.[109]

A few months later, on September 11, 1973, the Chilean military overthrew Allende's government, but his vision of economic self-determination lived on. In March 1974 the UN held its sixth special session on economic issues. In his speech at the session Algerian President Boumedienne highlighted the differences between Wilsonian self-determination and the far more capacious vision of the Third World. Western nations, he charged, "accepted the principle of self-determination only after having grasped the reins of the world economy" and ensuring that formal independence would be meaningless.[110] It was here that the Group of 77, led by Iran, issued a declaration of principles for the establishment of a New International Economic Order (NIEO) to accelerate the development of poor countries and close the widening gap between them and the industrialized world. The declaration served as a potent counterpoint to Kissinger's address on interdependence to the Twenty-Eighth General Assembly, reiterating the language on self-determination, sovereignty, control over natural resources, and the right of nationalization of previous UN statements, couched in the language of human rights and anticolonial nationalism. UN Special Rapporteur Raul Ferrero later observed that the "programme for the new international economic order is conceptually founded upon the human rights notion of self-determination" and its growing economic content. Mohammed Bedjaoui agreed, noting that self-determination was "an essential and primary legal principle in the hierarchy of norms" that made the economic sovereignty demands underpinning the NIEO and the Charter on the Economic Rights and Duties of States possible.[111] The NIEO represented the high tide of efforts by the Non-Aligned Movement and Group of 77 to use the UN machinery to build political solidarity and consensus around a restructuring of international economic relations. These efforts prompted anxious discussion in Washington, London, and other Western capitals over how to identify and exploit differences among Non-Aligned Movement and G77 members.[112]

A few months later, in August 1974, the foreign ministers of the Non-Aligned Movement, meeting in Lima, Peru, recommended a program of action to rein in the activities of multinational corporations that violated human rights and self-determination of peoples. That December, after more than two years of negotiations, the General Assembly approved a Draft Charter on the Economic Rights and Duties of States, which Mohammed Bedjaoui argued "is to economic decolonization what resolution 1514(XV) is to political decolonization," and which "incorporates into State sovereignty the economic dimension that it needed in order to become effective."[113] The General Assembly also passed a resolution, later adopted by the Economic and Social Council, to establish an Intergovernmental Commission on Transnational Corporations and an Information and Research Center on Transnational Corporations, the former charged with negotiating a code of conduct for multinational corporations.[114] And 1975 witnessed a flurry of discussions and declarations, building on and referencing the Church Committee hearings on multinational corporations (MNCs), US foreign policy, and the need to rein in the power of MNCs, especially those investing in and indirectly working to support racist regimes in Rhodesia and South Africa that violated the rights of their citizens.[115] That year the World Council of Churches came down firmly on the side of the NIEO, denouncing a global economy "dominated by a few rich countries who control a large proportion of the world's resources and markets" and transnational corporations, "often in league with oppressive regimes" that "distort and exploit the economies of poor nations."[116]

Non-Aligned Movement solidarity on the creation of a NIEO and other issues was always fragile, masking deep economic and political differences among member states that emerged starkly in the wake of the oil price hikes of the 1970s and the massive wealth transfers from non-oil-producing states that these produced. But the grounding of calls for an NIEO in terms of collective human rights and self-determination marks a striking repudiation of Western discourses of individual human rights.[117] Moreover, economic self-determination claims being deployed at the UN and among NIEO advocates circulated among a wide range of nonstate actors, from African American and Native American groups in the United States to Indigenous groups around the world, including many whose goal was not decolonization or the creation of new states but community control and an increasingly democratic local politics. Aureliu Cristescu, special rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of

Minorities, observed that "elaboration of the various economic, social and cultural aspects of the right to self-determination has resulted in the adoption of new rules forming a veritable international law of development" and had become an "essential pillar in the construction of the new international economic and political order."[118]

The International Monetary Fund saw matters differently. Development economist Albert Waterston argued in 1974 that an increasingly interdependent global economy and the globalization of financial markets were fueling "increasing pressures for regional and local autonomy within many countries," as minority or local groups "agitate for greater economic, social, religious, linguistic, or political self-determination." Governments in many parts of the world were responding to such pressures by engaging in more regional and subregional economic planning, and by subdividing political and administrative authority into smaller units to provide for more regional and local autonomy. Globalization, in other words, was fueling decentralization. This was not just happening in postcolonial states. "This is as true for countries with unitary governments, like France and Italy, as for those with federal governments, like India," Waterson noted. "And it is as true for large countries with greater physical and social diversity, like India, as it is for small ones with little diversity, like Guyana." Tanzanian President Julius Nyerere's *ujamaa* program of rural reconstruction and development represented perhaps the most ambitious attempt at such decentralization among postcolonial states, but such commitments crossed both East-West and North-South ideological divides.[119] The changing world economy in the 1970s was altering the nature of self-determination itself, as well as the political imaginaries it gave voice to.

Nationalist leaders, decolonizing movements, minority, and Indigenous communities deploying claims to economic self-determination after 1945 were not advocating a particular development strategy. They represented a range of traditions and visions of political economy (socialist, capitalist, autarchic, free trade, etc.), and not all sought to transform the world system. Rather, they were insisting that political decolonization and independence necessitated sovereignty over resources, investment decisions, and macroeconomic policy in order to be meaningful. These efforts continued well into 1970s and 1980s with demands for a NIEO, a UN Charter on the Economic Rights and Duties of States, the African Banjul Charter on Human and People's Rights, and insistence on a right to development. They were a far cry from the Wilsonian vision of self-determination of early

twentieth-century liberals or radicals, and spoke to a profound sense of unease among a wide range of states and movements that political self-determination of peoples might be a chimera in the face of the sovereignty eroding dynamics of global capitalism.[120] These concerns were not confined to radical and nationalist leaders of the decolonizing world, the Socialist bloc, or resource-exporting Latin American nations. Beginning in the 1960s Canadian commentators, to cite but one example, routinely worried that US capital, multinational corporations, tax, and investment laws were threatening their own large but sparsely populated nation's right to economic self-determination.[121] The growing Quebec nationalist movement voiced the same concerns.[122] A wide range of racial minorities and Indigenous groups around the world grounded their calls for increased sovereignty in similar terms. These a grew after Nixon dismantled the Bretton Woods system and inaugurated an era of free-floating exchange rates, and accelerated with the collapse of commodity prices late in the decade. They reared their head again in the 1990s as the creation of the World Trade Organization and the increasingly rapid integration of the world economy once again posed the question of whether political self-determination had meaning in an age of free-flowing capital.[123]

As economic self-determination claims—however contested by Western states—gained greater traction and legitimacy in international forums and international law, they touched on some of the most basic and substantive questions of sovereignty and were viewed by both their advocates and opponents as grounded in the most material of realities. Moreover, the increasing legitimacy of such claims began to substantively alter the practices of wealthy states, which sought to deny or frustrate economic self-determination claims internationally while partially accommodating them domestically. The persistence and proliferation of economic self-determination claims after 1945 speak to the ongoing tensions between states and markets, between the demands of capital for access and opportunity and the demands of states and communities for meaningful political and economic control, unfolding at different speeds and in different ways in different parts of the world.

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5

Self-Determination in Very Small Places

In 1956 the Asian Socialist Conference and the Socialist International's Anti-Colonial Bureau completed a yearlong study outlining a concrete program for the freedom of remaining colonies. The study, chaired by Burmese Deputy Prime Minister U Kyaw Nyein, divided the colonial world into categories. First were the "mainly homogeneous territories which can, in the near future, sustain their own political and economic life, e.g. the Gold Coast, Nigeria, and the West Indies." More difficult were the settler colonial and immigrant territories in British East Africa and Portuguese Africa, where white minorities were deeply resistant to decolonization. The most vexing were "those territories too small in size, population or resources to sustain an independent existence, e.g. the island colonies, Gambia, Sierra Leone, Goa, Basutoland, Swaziland and Beehuanaland, Hong Kong, Malta, Cyprus, Somaliland, Gibraltar and Aden." The authors asked whether the inhabitants of small and sparsely inhabited territories "are to be considered as a different category of human beings, with lesser rights than those we claim for ourselves and others, or whether they have also have the rights of taking a full share in the determination of their affairs." Socialists, they declared, must take the latter position, though the Bureau frankly admitted it had no idea what self-determination for small peoples might look like. Perhaps it might take the form of an international "small people's" parliament representing the interests of geographically dispersed tiny territories. The Indonesian and Burmese chairs of the Asian Socialist Conference, Sujokusumo Wijono and U Hla Aung, agreed. They were quick to point out, however, that self-determination for small peoples should not disrupt the territorial integrity of postcolonial states, especially those like Indonesia and Burma that faced ongoing separatist movements.[1]

That the Socialist International could even ask whether small or sparsely populated territories should be counted as part of international society speaks to the profound unease their existence engendered. Concerns about the alleged dangers that the proliferation of small states posed for

international security and the United Nations itself crossed all ideological and political lines. They were voiced by long independent and newly independent states, North and South, socialist and nonsocialist, communist and anti-communist. They were also raised by anticolonial and transnational movements, many of which made their own self-determination claims that prompted deep concerns in Western capitals. The leading historian of African decolonization observes that nationalist leaders in France's eight West African colonies all agreed that due to their size they "were doomed to poverty and subordination if they tried to survive as independent nation-states."[2] The demands of small territories and peoples for self-determination in the era of decolonization forced the international community to define its outer limits, as well as to rethink its own ossified conceptions of state viability and sovereignty. Were there some places and some peoples too small, backward, primitive, or unviable to merit self-determination? If so, what would their futures look like, and how were such limits to be defined?

Twenty years later, these questions were no closer to being answered. In April 1974 Portugal's Carnation Revolution ousted the Estado Novo regime, prompting its successor to declare the right of its former colonies to self-determination and begin a pell-mell retreat from empire in Angola, Mozambique, Guinea-Bissau, and Portuguese Timor.[3] Between 1974 and 1976 Cape Verde, the Comoros, São Tomé and Príncipe, Mozambique, Angola, Samoa, the Seychelles, Suriname, Papua New Guinea, and Guinea-Bissau joined the UN, the last burst of independent states until the end of the Cold War and the collapse of the Soviet Union.

The achievement of self-determination, in form if not in substance, by the vast majority of the world's peoples formerly living under colonial rule transformed the global politics of human rights. The final collapse of European colonialism in the early 1970s helped spur the explosion of human rights activism in Europe, the United States, and elsewhere focused on the former colonial world.[4] US Ambassador to the UN Barbara White noted that "achievement of self-determination must mark renewed efforts to guarantee human rights and the dignity of the individual." Self-determination needed to be reimagined, critics declared, "as a corollary to human rights protection and good governance."[5]

Decolonization of the majority of large dependent territories highlighted the "residue of small colonies," German journalist Marlene Manthey observed, "some of which, though barely viable as economic units," were "vocal in their assertion of the right to self-determination."[6] The indeterminate status of the remaining "flotsam and jetsam of empire," as two

contemporary legal scholars put it, punctured the myth that the independent nation-state was the goal of the decolonization process for all dependent peoples.[7] It also enabled their continued exploitation as sites of resource extraction, nuclear testing, settler colonialism, or military operations even as the UN repeatedly affirmed their rights. Small territories remain on the margins of the historiography of decolonization, development, Third Worldism, and the New International Economic Order, but they had an outsized impact on international debates over the meaning and limits of self-determination.

Concerns about the challenges or threats posed by small states and "primitive peoples" emerged alongside nineteenth-century European nationalist movements, rose in volume after the post–World War I settlement, returned to prominence in the 1940s, and persisted throughout the era of decolonization. But what exactly was a small state? The designation encompassed territories of vastly divergent size and populations. Some sparsely populated states were geographically vast, such as the Island of New Guinea or the territory of Spanish Sahara, which was larger than Great Britain. Others, like the Pacific trust territories or British, Australian, and French territories in the Caribbean and South Pacific, were "dust specks on the sea," as Charles de Gaulle derisively called Martinique, Guadeloupe, and French Guiana when he flew over them in 1964. Some territories were resource poor. Others, like New Caledonia, Western Sahara, Kiribati, Nauru, or the island of Papua, contained vast deposits of oil, phosphates, copper, gold, nickel, and other valuable resources coveted by larger states and foreign firms.[8] These territories and peoples also aspired to divergent political futures. Some sought independence. Others, like the French Antilles or Guadeloupe, sought federation, association, or departmentalization, raising questions about the meaning of sovereignty and international governance in a system dominated by large, populous states.[9] Even further on the margins, territories such as West Irian (formerly Dutch West New Guinea), Portuguese Timor, and Western Sahara confronted an international community that acknowledged their right to self-determination while acquiescing to invasion or annexation by larger postcolonial neighbors.

Places like Portuguese Timor, the Pacific island territories, French Polynesia, West Papua, and Western Sahara were "never lands," as British officials described the prospects for independence of many of their Pacific island territories.[10] These "never lands" marked the boundaries of the international system and the limits of self-determination in the 1960s and 1970s.

These peoples and territories had defenders—transnational solidarity movements, horizontal associations of ministates, and scholars and activists who attempted to build solidarity with them and whose advocacy helped to vernacularize self-determination as a way of talking about rights and sovereignty in international politics. But the defenders of small states and peoples were only partially able to shift international practice. At the end of the 1970s many still languished in zones of semi-sovereignty, in associated status, as military bases, or under military occupation by postcolonial states.[11] Others were emerging into a tenuous independence and sought means of overcoming the economic and political challenges that limited geographic size and population posed for realizing meaningful self-determination in an international system still dominated by large states.[12]

The Small-State Crisis

The passage of UN General Assembly Resolution 1514 was a foundational moment in the history of decolonization, particularly for small territories and peoples. The resolution rejected the developmentalist, racial, and cultural arguments that the colonial powers had deployed to delay decolonization, stating that "inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence." In its wake the General Assembly established the Committee of 24 to monitor the decolonization of remaining non-self-governing territories, and to dispatch visiting missions to and hear petitions from their inhabitants. The General Assembly also passed Resolution 1541, which established the guidelines to determine which territories were required to report on their progress toward self-government and when they had reached a sufficient stage of self-government to cease reporting. The resolution arose in response to Portugal's insistence that overseas colonies were an integral part of the nation, and its continued refusal to report on the progress of its colonies toward self-government.[13] France had already employed a similar logic, removing Polynesia, New Caledonia, Wallis, and Fortuna islands from the UN list of non-self-governing territories, arguing that residents there had voted for the 1958 constitution establishing them as *territoire d'outre-mer*. The Eisenhower administration did likewise following Hawaii's 1959 statehood vote, which it characterized as an act of self-determination.[14]

Resolution 1541 would play an important role in debates over the self-determination claims deployed by small states, Indigenous peoples, and national minorities.[15] First, the resolution endorsed the "saltwater" thesis, defining colonies as "territory which is geographically separate and is distinct ethnically and/or culturally from the country administering it." This formulation largely excluded Indigenous peoples and colonized residents of white settler states like Rhodesia. Second, the resolution narrowed the range of possible outcomes non-self-territories could imagine to just three: independent statehood, free association, or integration with an existing state. It thus framed decolonization as a territorial and political process, one that excluded diasporic, stateless, forcibly displaced peoples, migrants, and refugees, as well as sovereignty claims grounded in religion, culture, resource sovereignty, and other forms of identity.[16]

The colonial powers saw the handwriting on the wall, however faint, and recognized the need to accelerate the progress of tiny non-self-governing territories toward self-determination, at least on paper. In April 1960 the Hague formed an advisory council for West New Guinea with an elected Papuan majority and announced a phased ten-year plan to "Papuanize" local administration. Amid reports of mounting Indonesian military infiltration into the territory, Dutch officials invited a UN mission to visit and announced their desire to "terminate its sovereignty . . . at the earliest possible date . . . as soon as the right of self-determination of the population is properly safeguarded."[17] The British Colonial Office in July 1961 established the Pacific Future Policy Committee to consider possible political and constitutional arrangements for its Pacific territories that would keep UN critics at bay. The incoming Kennedy administration began a similar process for its Pacific island territories after a 1961 UN Mission criticized the glacial pace of reform.[18]

Structurally, the UN was created as a site for formal sovereign equality among large states. Few of its founders in 1945 imagined a world of 193 states of vastly divergent size and population; the main hall of the General Assembly was initially built for just half that number. Large regional powers and political elites in many small states and territories thus sought through federation, association, or annexation a way out of the seeming trap of size. Decolonization of French, British, Australian, New Zealand, and US-controlled islands in the Caribbean, South Pacific, and Indian Ocean presented particular problems, since many had never been organized or administered as colonies in the first place. Aside from territories such as

Western Samoa or Fiji with relatively cohesive populations and political cultures, few were developing the broad-based nationalist movements that drove decolonization elsewhere. Those places where colonial regimes penetrated most deeply—such as in French Polynesia or the US Marshall Islands—generally housed military bases or were the sites of nuclear testing; and they were considered strategic enough that colonial powers never envisaged formal independence for them.

The inhabitants of many such small territories desired greater self-government and control over local affairs but were painfully aware of their vulnerability in an international system dominated by large states. Some small territories had experienced comparatively less intensive, exploitative, and brutal forms of colonial rule than in Africa or island Southeast Asia, a function of remoteness, benign neglect, and in some cases lack of easily exploitable resources. But many educated elites in the Marshall Islands, French Polynesia, the Cook Islands, and other small territories sought association, federation, imperial citizenship, or even annexation. The Legislative Council of the French Seychelles, for example, voted in February 1964 to request from the British government either full integration into the United Kingdom or "an unequivocal declaration from the British Government that the Seychelles can remain British." When polled on the eve of a visiting UN mission in 1961, residents of the US-controlled Northern Marianas expressed a "virtually unanimous desire . . . to become US citizens and affiliate with the United States—either directly or through reintegration with Guam."[19]

The UN-sponsored decolonization process did not enshrine the nation-state as the end goal of the decolonization process for all peoples.[20] Throughout the decolonization era colonial officials, leaders of newly independent states (and many old states), legal theorists, scholars, and even nationalist leaders in small territories themselves warned of the potential dangers of a proliferation of small states for the young UN system. These concerns were inseparable from the minority problem that bedeviled the Commission on Human Rights as soon as it began considering the 1952 resolution declaring self-determination a human right. In April 1952 India's UN delegates proposed an amendment to the resolution defining "peoples" as "large compact national groups." They were already worried about demands from religious, ethnic, and regional minorities within India for greater autonomy or independence, a challenge faced by every new multi-ethnic state.[21] Similar concerns animated the British government's Smaller

Territories Enquiry from 1949 to 1951, which sought to develop criterion for self-government for island territories in the Pacific, Indian Ocean, and Caribbean.[22] They drove the work of the UN Committee on Factors, which in the 1950s spelled out developmentalist criteria marking the readiness of colonized peoples for independence and routinely noted the special challenges faced by small territories.[23] They also informed the ongoing work of the Trusteeship Committee and animated the federalist and associational schemes proposed by metropolitan officials and anticolonial leaders in the Caribbean, Africa, and Pacific in the 1950s and 1960s.[24]

The desire of many smaller colonial territories for federation, association, and other partial solutions to the dilemmas of size was central to debates about the viability of the UN system.[25] Concerns about the political and economic viability of small territories shaped the work of the Special Committee on Decolonization and were broadly aired by social scientists and policymakers around the globe. Viability had no legal or empirical definition, however. It was a ever shifting political category onto which critics could project their fears and their understandings of the past and future.[26] Following the Special Committee's creation, the University of London's Institute of Commonwealth Studies organized a seminar to consider the dangers posed by the proliferation of small states. Legal scholars, political scientists, anthropologists, and activists wrote with increasing frequency of the geopolitical dilemmas posed by "primitive" or "tribal" peoples and small, especially island, states.[27] When an Indian member of the 1961 UN Mission to Micronesia criticized US preparation of the islands for self-government, Australia's UN representative lamented that "there is no future in separate independence for the Micronesian Islands, and the Indians know this as well as anybody. The problem, therefore, is to devise some form of permanent association with the United States which will protect American strategic interests in the Territory while satisfying the wishes of the inhabitants."[28] Australian officials had long floated proposals for a Greater Melanesian Federation incorporating West New Guinea, Papua New Guinea, and French and British island territories in the region. At an ANZUS meeting in Canberra in 1962 Australian, US, and New Zealand officials took for granted, as US Secretary of State Dean Rusk put it, "that many island communities would never be viable as nation-states" and were ripe for communist subversion. None of the attendees even tried to define what viability meant. That November an ANZUS study group developed broad guidelines for the political future of the region, envisioning possible independence only for Fiji,

Tonga, and Papua New Guinea, with all other territories given a status "short of sovereign independence" or folded into larger regional federations. Cabinet papers prepared for the Australian government in 1964 on "the Problem of Smaller Territories" declared that Canberra should aim to "ensure that, at the United Nations and other international forums, 'the idea of independence for small dependent territories does not gain wide currency.'"[29]

The architects of the UN had never intended for all dependent peoples to emerge as independent states. The very concept of strategic trust territories was premised on the denial of self-determination to lands the great powers intended to use as military bases or nuclear testing sites. Assistant US Secretary of State Harlan Cleveland reflected in 1963 that the UN had wisely "provided a considerable range of options for the exercise of the right of self-determination," including "free association with an outside power." He urged lawyers and political scientists to devote further study to "this constitutional no man's land that lies between sovereign independence, which is now so fashionable, and colonial dependence," so that small states might enjoy "something better than the Hobson's choice between permanent dependency and fashionable illusion."[30]

Critics of small states focused much of their concern on the possible decolonization of "hermitic insular speck[s]" in the Caribbean, South Pacific and Indian Ocean, as the conservative US scholar and diplomat Elmer Plischke described them in the 1970s.[31] Philosopher and historian Hans Kohn, one of the leading theorists of nationalism, lamented in 1958 that "the independence of small and nonviable entities" undermined the principle of sovereign equality and threatened the UN itself. Four years later Western Samoa became the first independent Pacific state and the world's smallest with only 115,000 residents, only to be surpassed in 1965 by the British Maldives, whose 95,000 citizens could fit comfortably in Wembley Stadium. Italy's UN ambassador, Piero Vinci, warned the Association of World Federalists that there was "much apprehension in the big and medium size nations" about the growing number of tiny states joining the world body, "a trend which could lead to a contemptuous disregard for the General Assembly resolutions."[32] "How do you expect to push reforms through that are against the interests of most member states?" delegates from larger nations complained to journalists in the halls of the UN. "We have long since become the El Dorado of the small states, and the super-powers take this into account by simply keeping all questions of vital interest to themselves outside the United Nations."[33]

Debates about the economic viability of small, nonindustrialized states and their right to self-determination were embedded in contemporary development discourses. The International Monetary Fund argued in 1960 that "small countries like Ghana, Haiti, and Sudan" (the latter of which was larger than Great Britain) dependent on the production of a single commodity could not survive as independent states.[34] Even anticolonial activists and NGOs warned that economically and politically "unviable" microstates would invite great power or regional intervention, become wards of the international system, and mock the idea of sovereign equality. Movement for Colonial Freedom founder Fenner Brockway warned against independence for the island peoples of the Pacific and asked how anticolonial activists could "harmonise the self-determination of groups of peoples with the wider association which is necessary in a shrinking world. This is particularly true of these small territories which are economically and politically non-viable." What viability actually meant Brockway could not say.[35]

Dark fears of "a hundred Naurus" (a tiny phosphate-rich island in Micronesia then under UN trusteeship) prompted UN officials to consider reforming the UN itself. Some proposed to create new forms of semi-sovereignty through which small territories could exercise self-determination through associational arrangements short of independence. Secretary General U Thant persistently worried about the "special problems" of small dependent territories, especially resource-poor, sparsely populated islands in the Atlantic, Pacific, and Indian Oceans, some "spread over millions of square miles."[36] "The line has to be drawn somewhere," he argued in his 1967 annual report to the General Assembly, suggesting that a "distinction be made between independence and full UN membership" for small states, lest they weaken the UN system itself.[37] Two years later Thant created a Committee of Experts to make recommendations for a tiered system of UN membership to include associate membership for small or extremely poor states. The US and British delegations suggested that small states give up voting and other rights in exchange for relief from UN membership dues, proposals met with nods of approval from international legal scholars such as Stephen Schwebel. Schwebel, who later became deputy legal adviser at the US State Department, bemoaned the 1971 UN admission of Qatar on the grounds that the tiny emirate (which fifty years later had the world's highest per capita income) would never be able to discharge the responsibilities of a sovereign state. The committee disbanded after the UN's legal counsel found its recommendations inconsistent with the UN

Charter, but its mere existence suggests how widespread concerns were about extending self-determination to small peoples and territories.[38]

Secretary General U Thant believed that the extremely limited economic prospects of tiny territories created problems for the UN "which it has not so far been called upon to resolve."[39] A 1973 UNCTAD study identified some of the daunting challenges facing developing island countries and dependent territories in the Pacific, Indian Ocean, and Caribbean. These included limited resource endowments, embryonic political institutions, reliance on colonial transportation links, domination by foreign firms, and import dependence for a wide range of nonsubsistence needs. A majority of small islands relied on the production of a single primary product such as copra, coffee, bauxite, or phosphate for foreign exchange, but lacked the infrastructure for independently accessing foreign markets, leaving them far more dependent on colonial metropoles than their larger counterparts. The UNCTAD report recommended regional commodity, financial, and transport agreements, wide-ranging technical assistance programs, rapid development of local tourism industries, and further study of the viability of small island countries.[40] Not all such territories were poor, however, and concerns about viability often simply masked the desire of states and firms to maintain control over extractive industries.[41] The Australian colony of Nauru was one of the world's leading phosphate producers, while the French territory of New Caledonia ranked third among global nickel producers and held a staggering 50 percent of global reserves.[42]

Concerns about the viability of small territories rose in rough parallel with the growing legitimacy of self-determination in international law. In the decade following passage of the 1966 human rights covenants, self-determination evolved from a principle whose very existence was denied by the colonial powers to an accepted human right with the status of customary international law.[43] Every year the Special Committee sent missions to non-self-governing territories and issued annual reports charting their progress toward independence and fulfillment of their right to self-determination. The General Assembly passed an annual cascade of resolutions (more than two dozen in 1966 alone) affirming the right of self-determination for non-self-governing territories, declaring it a human right, endorsing armed struggle as a means of achieving it, and prohibiting the use of force to deprive peoples of this right. Postcolonial states, it seems, hoped to suffocate colonialism under the sheer weight of their denunciations. The blizzard of UN resolutions and reports reflected a broad

consensus among postcolonial and especially African states that, as Secretary General Kurt Waldheim suggested to Spanish officials in 1974, "matters of decolonization were legal not political questions and should therefore be dealt with by the general assembly."[44]

The 1970 Declaration on Friendly Relations

The thickening of the UN human rights system and the oversight and investigative capacity of the Decolonization Committee created myriad new opportunities and spaces for self-determination claimants to plead their case. British, US, French, and other metropolitan officials, tired of responding to innumerable UN resolutions, turned to establishing general principles of international law that might contain self-determination of the world's remaining colonies with acceptable boundaries. In December 1962 the General Assembly passed a resolution calling for such a study, setting off a nearly decade-long debate about the basic principles of international law.[45] Yugoslavia's UN delegation offered the socialist Principles of Peaceful Co-Existence as a model, a proposal endorsed by attendees at the second Non-Aligned Movement conference in Cairo in 1964.[46] Over the next eight years, the UN International Law Committee and the General Assembly held dozens of meetings to consider how decolonization, the UN human rights covenants, the declaration on permanent sovereignty over natural resources, and two decades of UN resolutions had reshaped international law. The United States and other Western powers, having spent years trying to narrow the scope and reach of self-determination, now sought a broadly conceived declaration that acknowledged such a right but limited it to "peoples" "possessed of a government representing the whole peoples of the territory without distinction as to race, creed or color."[47]

Many Western officials were publicly resigned to self-determination's status as a human right and as customary international law. Surveying the political landscape on the eve of UN passage of the 1966 human rights covenants, the British Foreign Ministry concluded that rejection of self-determination as a human right diminished London's ability to chart a moderate path opposing white minority rule in southern Africa and Soviet control of Eastern Europe, leaving the field open to more radical anticolonial forces.[48] "The time has come," one British official suggested, "that we have more to gain than lose from conceding the existence of some form of

right to self-determination." Perhaps more important, acknowledging a right to self-determination would not impose substantive new burdens on London or other "perplexed proprietors of tiny territories."[49]

The challenge British officials faced was to acknowledge a right of self-determination for such territories, thereby keeping communist and non-aligned states at bay while developing constitutional solutions to bind them economically, militarily, and politically to London. In an extraordinary 1967 analysis the Foreign Office surveyed Britain's remaining colonies and how London might "decide the appropriate time for exercise[ing] right of self-determination in each territory" where it could not support outright independence. "In the case of Hong Kong," the Foreign Office warned, "there can, of course, be no question of a right of self-determination." The Gilbert and Ellice and Solomon Islands were likewise "still far removed from the stage of development" where the people could exercise such a right in a meaningful way. There was, moreover, a group of very small territories such as Montserrat, the Virgin Islands, the Turks and Caicos, the Caymans, St. Helena, and the Pitcairn Islands "which are too small for sovereign independence." For these territories self-determination "would have to mean the establishment of a relationship with the United Kingdom, or some other State."[50] Australian officials likewise fretted about the future of Nauru, which became independent in 1968, hoping "to avoid setting a ministate precedent for [the] Pacific Islands."[51]

Alongside the international system of sovereign, independent nation-states, then, the great powers envisioned a vast zone of small, primitive, or backward territories that would never experience full decolonization or self-government. Strategic and sometimes commercial concerns required a world pockmarked by literal islands of semi-sovereignty. The US and British commitment to such a world flowed directly from their determination to build or maintain military bases in the Pacific, Caribbean, Mediterranean Sea, and Indian Ocean in defiance of local populations. Newly independent governments in Morocco and Trinidad and Tobago had already demanded the removal of foreign bases. Decolonization threatened these and other "islands of extraterritoriality."[52] The US Navy therefore sought to negotiate long term base agreements or find "strategically located islands with small, easy to remove non-Western populations" such as British-controlled Diego Garcia in the Indian Ocean. There the navy proposed to build a massive new base complex to anchor its strategic presence in the region.[53] The only problems were the local population and

international law. British officials solved the former problem by agreeing in 1965 to expel and forcibly relocate local residents in order to "remove the possibility that use of the islands could be hampered by external pressures for self-determination."[54] The US-British plans to detach Diego Garcia from Mauritius as a condition of its eventual independence and to refuse a UN visiting mission drew swift condemnation from the General Assembly. It also prompted a decades-long campaign by displaced Chagossians and their supporters to return to their homes and complete the process of decolonization.[55]

Decolonization also threatened US, British, and French ambitions to use colonial and Indigenous lands as nuclear testing sites. Like his counterparts in London and Washington, Charles de Gaulle viewed French colonial holdings in the Pacific as a site for imperial consolidation rather than for decolonization or self-determination. As he wound down France's brutal war against Algerian independence, he encouraged a nearly twenty-fold increase in migration to the French Pacific territories of New Caledonia, Polynesia, and the New Hebrides, hoping to swamp Indigenous populations and culture and provide outlets for French ranchers, farmers, and miners displaced from its North African colonies.[56] Paris also announced that it would shift its nuclear testing program from Algeria, where atmospheric explosions had generated a global outcry and galvanized anticolonial activists, to Polynesia, where testing began in 1966. The US government sponsored a similar wave of migration, mostly of cheap Filipino labor, to Guam and the Marshall Islands to work at its military bases there and conducted more than 120 nuclear tests in the Marshall Islands. Britain conducted nearly two dozen more in the Indian and Pacific Oceans and on Aboriginal land in Australia.[57]

Opposition to nuclear testing and the accompanying environmental and cultural degradation emerged as a cornerstone of South Pacific identity in the coming decades, and a key component of both local and regional self-determination demands.[58] Nothing demonstrated the naked power of colonial rule or the vulnerability of Pacific peoples more than the obliteration of their lands and the fouling of their environments by nuclear testing. After France conducted its first hydrogen bomb test in 1968, Australia and New Zealand pressed for a ban on Pacific nuclear testing in the newly formed South Pacific Forum, at the UN, and at the International Court of Justice. But Pacific peoples took the lead. On the eve of Fiji's independence in October 1970 a coalition of local clergy, students, and laypeople formed

Against Testing in Maruroa (ATOM), the region's first antinuclear organization.[59] ATOM forged ties with labor, women's, environmental, peace, and religious organizations like the Pacific Conference of Churches, partly through the efforts of one of its founders, Amelia Rokotuivuna, a prominent peace and women's activist.[60] That April Rokotuivuna helped organize the first "Conference for a Nuclear Free Pacific" in the Fijian capital of Suva, which brought together ninety antinuclear, Indigenous, anticolonial, and feminist activists from twenty-two nations. Attendees declared that the struggle against colonialism and for self-determination were inseparable from demands for a halt to nuclear testing, weapons storage, and waste disposal by the colonial powers. A few weeks later attendees petitioned the UN Decolonization Committee along these lines.[61]

This made up the backdrop for 1970 Declaration of the Principles of International Law, which simultaneously expanded and telescoped the meaning of self-determination. The Declaration expanded the definition of self-determination from an act of colonial emancipation to a process linked to representative government, one that could be equally applied to South Africa under apartheid and the states of Eastern Europe under Soviet domination. Subsequently, to cite just one example, representatives of the Estonian Democratic Movement and the Estonian National Front appealed to UN member states to urge the withdrawal of Soviet troops from the Baltics and the holding of free elections, couched their demands in terms of the 1966 covenants, the 1960 declaration on decolonization and other UN documents "declaring the right of all peoples to self-determination."[62] More relevant for the United States and Britain, those "indefatigable collector[s] of bits and pieces of empire," the Declaration stated that self-determination could take forms other than independence, including "the free association or integration with an independent State or the emergence into any other political status freely determined by a people." This created ample wiggle room for the semi-sovereign futures the colonial powers imagined for their remaining dependencies. "It is our long-standing position," US Secretary of State William Rogers later argued, "that independence is only one of several possible outcomes of [a] process of self-determination," a position Washington and London used to endorse the variety of arrangements they envisioned for Micronesia, Guam, the British Virgin Islands, and other places. When convenient, the Soviet Union resorted to similar formulations to justify its presence in Eastern Europe and position on the nationalities question within the USSR itself.[63] UN member states raised

legitimate concerns about the threats to territorial integrity posed by secessionist minority and subnational self-determination claims, and insisted on the principle of sovereign equality. But they considered both self-determination and sovereign equality an absurdity when it came to small or "backward" territories.[64]

The Papuan Crucible

Self-determination was a discourse of boundary setting. Debates over its scope and meaning at any moment in time reveal an ever-shifting terrain of possibility, one that claimants were always seeking to enlarge and opponents to contain. The Indonesian campaign to "recover" West New Guinea illuminated many of these shifting boundaries and the difficulty in determining when or whether small or "primitive" territories could enjoy the rights laid out in Resolution 1514. Indonesian diplomats had long argued that West New Guinea was a part of the colonial Netherlands East Indies and repeatedly requested that the UN General Assembly demand its return as a completion of Indonesian decolonization. In any case, Indonesia's UN Ambassador Sudjarwo Tjondronegoro argued in 1957, the people of West New Guinea were "not yet ready to exercise their right to self-determination."[65] In order to head off Indonesian demands, in April 1960 the Hague formed an advisory New Guinea Council with an elected Papuan majority and announced a phased ten-year plan to "Papuanize" local administration.[66] Council members argued that the Papuans constituted a coherent "ethnographical unit" and therefore met the definition of "peoples" in the recently passed Decolonization Resolution. Local educated elites like Nicolaas Jouwe and Markus Kaisiepo, meanwhile, sought to cultivate a "Papuan" nationalism, a mythic common past, and an imagined future as an independent state.[67] Papuan nationalists reached in diverse directions for affective ties; some toward Melanesia, and others to decolonizing African states and even the NAACP, framing themselves as coparticipants in the global Black freedom struggle.[68]

Indonesian President Sukarno rejected the efforts of Papuan nationalists to invoke ethnic or racial difference as a basis for independence, citing the need for national unity. "Where in the world today is there a nation which is composed of only one ethnic group?" Indonesian UN Ambassador Zairin Zain asked, calling such claims an "application of self-determination ad

absurdum" and part of a Dutch effort to dismember Indonesia.[69] When the New Guinea Council raised the Papuan national flag, Sukarno declared the territory an Indonesian province and pledged to "recover" it by year's end, even at the cost of war.[70] Indonesian diplomats warned newly independent African states that UN endorsement of self-determination for West New Guinea would embolden separatist movements across the African continent.[71] Few Western governments, in any case, believed West New Guinea was a viable state. Passing along a French anthropological study to a colleague, Deputy US National Security Advisor Robert Komer quipped, "Are these the boys for whom [the] Dutch insist on self-determination? Let's stop kidding ourselves."[72] They thus supported US proposals for a UN-brokered settlement to hand West New Guinea over to Indonesia, one "that sidesteps the self-determination issue," as US National Security Advisor Walt Rostow put it.[73]

The US proposal raised questions about self-determination that the UN itself had not answered. Under-Secretary for the UN Office of Legal Affairs C. A. Stavropoulos therefore prepared an extraordinary analysis of self-determination in international law and UN practice. Stavropoulos observed that "through most of its history self-determination has been a political principle rather than a legal right," but that in light of recent UN practice and resolutions it was "on the threshold of positive international law as a legal right."[74] He did not, however, attempt to answer the crucial question: whether Papuans were a "national minority" within a recognized state, as Indonesia contended, or a non-self-governing territory, as the Netherlands and Papuan nationalists insisted.[75] No matter. People or not, Stavropoulos described Papuans as primitive and developmentally backward, lacking a "politically articulate population" or sense of national identity.[76]

Papuan leaders continued to insist on the right to vote on their own future, but Indonesian, Dutch, and US officials ignored their pleas. In August 1962 they signed a UN-backed agreement, written with no Papuan input, to hand over control of the territory (which Indonesia called West Irian) to Jakarta early the following year. After five years the UN would return to the territory to organize an "Act of Free Choice."[77] Papuan elites and nationalist organizations denounced the New York agreement as a betrayal. A mass meeting in Biak declared that "the rights of small nations are the same as those of the big nations" and denounced the United States for selling "the rights of the independence of the Papuan population to Indonesia."[78] The agreement did not spell out what self-determination in

West Irian would look like, but Indonesian officials considered the matter closed. Sukarno placed the territory under military rule, dismantled organs of local self-government, and arrested pro-independence leaders. Widespread Indonesian repression and growing nationalism prompted the formation in 1965 of the Organisasi Papua Merdeka (Free Papua Movement). Exiled Papuan activists formed pro-independence organizations, established a "diplomatic mission" in New York to lobby UN member states, and crafted legal analyses making the case for Papua's right to self-determination under international law.[79]

Under the terms of the New York agreement, the UN was to hold an Act of Free Choice in West Irian in 1969. As the act drew near scholarly, journalistic, and diplomatic discussion of Papua once again emphasized the territory's backwardness and primitivism. "The issues of nationalism, colonialism, and self-determination mean nothing to these people," the *Wall Street Journal* assured readers. It described a territory filled with cannibals and headhunters such as had allegedly eaten Michael Rockefeller (son of New York Governor Nelson Rockefeller) in 1962, a place where "men raise pigs, who are traded for wives, who suckle pigs, who are traded for more wives." Anthropological descriptions of Papuan social structures and culture likewise stripped Papuans of agency and portrayed even educated elites as pawns of the great powers or Indonesia, naive and unaware of the implications of their own actions.[80]

UN officials dismissed Papuans' right to self-determination from the start. In August 1968 U Thant sent Bolivian diplomat Fernando Ortiz Sanz to "advise, assist and participate" in planning the Act of Free Choice. Indonesia's UN representative, Sudjarwo, maintained that West Irian was too large and its people too backward for a "one man, one vote" plebiscite, and proposed instead a series of consultations with local leaders. U Thant and Ortiz Sanz agreed. The goal of the UN mission was to legitimize annexation, not facilitate self-determination.[81] As the British Foreign Office acidly observed in July 1968, "The plain fact is that there is no other solution than for Indonesia to keep West Irian; no one is thinking in different terms; and no responsible Government is likely to complain so long as the decencies are carried out."[82] The cynicism of foreign observers was breathtaking. In May 1968 US political consul Thomas Reynders traveled across West Irian for a full month. All foreign observers, he noted, agreed that Indonesia could not win a fair vote and that the overwhelming majority of Papuans desired independence, but "Indonesia will not accept Independence for

West Irian and will not permit a plebiscite that would reach such an outcome."[83] US Ambassador to Indonesia Marshall Green agreed. "We are dealing here essentially with stone age, illiterate tribal groups," he wrote to Washington, and "free elections among groups such as this would be more of a farce than any rigged mechanism Indonesia could devise."[84]

As the prepared for the Act of Free Choice, Indonesia's armed forces embarked on a reign of terror, stimulating what one US official described as "fears and rumours of intended genocide."[85] A wide range of Papuan organizations and individuals petitioned Ortiz Sanz, detailing Indonesian repression and demanding that the UN protect Papuan human rights and guarantee meaningful self-determination. Some Papuans sought to situate their claims in the broad stream of Black transnationalism.[86] Others, however, reframed Papuan identity as part of "the indigenous people of Melanesia," as one petitioner wrote to Sanz. UN officials ignored their pleas.[87]

The Act of Free Choice, conducted over July and August 1969, flouted UN norms and demonstrated the hollowness of its commitment to self-determination for people labeled too primitive to effectively exercise it. Indonesian authorities herded a hand-selected group of 1,022 West Papuans into a building to vote publicly and unanimously in favor of integration while heavily armed soldiers waited outside. Indonesian police and army units brutally suppressed any public display of opposition.[88] The US embassy spoke for most foreign governments when it observed, "The Act of Free Choice (AFC) in West Irian is unfolding like a Greek tragedy, the conclusion preordained. The main protagonist, the GOI, cannot and will not permit any resolution other than the continued inclusion of West Irian in Indonesia."[89] Three months later the General Assembly endorsed the sordid affair, thereby lending support of the world body to Indonesia's annexation of the territory.[90] Despite widespread acknowledgment that that Act of Free Choice was a farce, that the overwhelming majority of Papuans opposed integration with Indonesia and desired independence, only a handful of nations backed the Papuan claims to self-determination. Nearly a decade after passage of the UN Decolonization Resolution, Papuans were still considered too primitive to determine their own futures.[91]

A few months after Indonesia's annexation of West Papua the UN General Assembly adopted the 1970 Declaration on International Law, with its partial and conditional endorsement of self-determination. The declaration marked the uneasy consensus of UN member states, but more radical groups and movements recognized what they considered to be the

Declaration's limits and argued for a more Third Worldist vision of international law. These included the Havana-based Organization of Solidarity with the People of Asia, Africa, and Latin America (known as the Tricontinental) and the Rome-based International League for the Rights and Liberation of Peoples. The League was founded in 1976 by the Italian socialist, jurist, and senator Lelio Basso, an early advocate of "Third World international law" and the necessity of stating its emerging principles outside of the UN setting.[92] In 1976 Basso gathered dozens of legal scholars, Western politicians, NGOs, and representatives of minority, secessionist, and liberation movements in Algiers, where they drafted the "Universal Declaration of the Rights of Peoples." The Algiers Charter, as it came to be known, offered an expansive vision of self-determination, cultural and minority rights, and the right to development, and endorsed a radical conception of permanent sovereignty over natural resources.[93] The World Council of Churches embraced a similarly broad conception of self-determination in 1975.[94] These contemporary critiques suggest, among other things, that the focus of international legal scholars on UN resolutions misses many of the broader debates that the resolutions engendered among movements and actors unable to directly access the UN themselves.[95]

With self-determination seemingly established as a foundational principle of international law, especially in the decolonizing world, aggrieved ethnic and religious minorities in multiethnic postcolonial states invoked it with increasing frequency to legitimize secessionist and other sovereignty claims. The emergence of Bangladesh seemed to confirm the principle that successful secessionist and self-determination movements created their own legitimacy. But just six years after achieving independence Bangladesh faced its own secessionist revolt in the Chittagong Hill Tracts region, which would last for the next twenty years.[96] Following Burma's enactment of a second constitution in 1974, which further consolidated power in the hands of Ne Win and his Burma Socialist Programme Party, the Karenni National Revolutionary Council (KNRC), representing ethnic groups in the Karenni and Shan states, declared its independence. The KNRC was the latest incarnation of a coalition of Karen and Shan ethnic groups that had been agitating for self-rule or secession since Burma's independence in 1947.[97] They saw the 1974 constitution as a vehicle for "more effective tactics in enslaving, colonizing and exploiting the non-Burmese races in the so-called Union of Burma." Like other secessionist movements at the time, the Karenni both drew upon an imagined past and pointed to recent UN

resolutions endorsing self-determination as a human right as precedent and warrant for their demands.[98]

Two years later, on December 4, 1976, the Gerakan Aceh Merdeka (Free Aceh Movement) declared Aceh's independence from Indonesia. Shortly after, the movement's exiled leader, Hasan Mohammed di Tiro, wrote in his diary of the need "to relate our struggle to the worldwide liberation movements for independence . . . to the world movement for self-determination, and to international law that sanctioned the right of self-determination for all peoples. Thus to take Aceh out of her isolation!"[99] Hasan Tiro had in his youth supported Aceh's identification with the Indonesian independence struggle, backed the Darul Islam movement in the 1950s, and after 1965 became a critic of the Suharto regime.

Hasan di Tiro's shifting conceptions of Aceh's place in the world mirrored the evolution of self-determination's meaning in international law. Abandoning the transnational religious solidarity of many pan-Islamic activists in the 1950s, di Tiro embraced the discourse of international human rights and self-determination and reimagined Aceh as a nation-in-waiting with a history distinct from Indonesia. In his voluminous writings from the 1960s and 1970s he emphasized the timelessness of Acehnese national identity over its more recent Indonesian counterpart and portrayed the Javanese as tyrants seeking to exploit ethnic and regional minorities and the province's rich oil reserves.[100] Writing to the Tunisian diplomat Mongi Slim, di Tiro lamented that the UN, while "true to [its] principle of respect for the right of self-determination of peoples" in the Congo, Angola, and North Africa, has been "silent throughout on the Javanese colonialism in Indonesia." Invoking the UN Decolonization Resolution, he demanded UN organize elections "giving the opportunity to all the nationalities of Indonesia to exercise their right of self-determination."[101] As di Tiro wrote, both the Republic of South Moluccas and Free Papua Movement were reviving their international diplomacy and armed-struggle campaigns, and anticolonial nationalists in neighboring Portuguese Timor were demanding independence.[102] The sheer scope and range of such movements in the late 1960s and early 1970s—Kurdish militants in Iraq and Turkey, Nagalite and Kashmiri movements in India; Karenni and Shan movements in Burma; Indigenous movements around the world; a revived Catalan independence movement in Spain; South Sudan's independence movement; Ogaden and Eritrean separatists in Ethiopia; and the Quebec sovereignty movement—seemed to confirm the fears of critics that the deepening legitimacy of self-determination threatened the integrity of the postcolonial order.

Western Sahara and Canary Islands

In 1975 self-determination had arguably reached the height of its political and legal legitimacy, but even then some places were beyond its reach. The 1975 Moroccan and Mauritanian invasion of Spanish Sahara starkly illuminated the international community's willingness to deny self-determination to "primitive" peoples with a straightforward claim to independence. Like many sparsely populated Pacific island territories, Spanish Sahara did not experience the sort of nationalist upheavals that convulsed the rest of North Africa in the late 1950s and early 1960s, including its neighbors Morocco and Mauritania, which became independent in 1956 and 1960, respectively. European anthropologists constructed binary ethnographic portraits of the largely nomadic population of Spanish Sahara as divided along warrior/scholar caste lines and emphasized their primitivism, categories that Spanish colonial administrators used to develop structures of local rule and argue against rapid decolonization. Through the 1960s both Moroccan and Mauritanian leaders made irredentist claims against Spanish Sahara, the former as part of Moroccan King Hasan's vision of a "greater Morocco" that included both Spanish Sahara and Mauritania, and the latter on the basis of linguistic and perceived ethnic kinship.[103]

As with other "small" territories, complaints about Western Sahara's backwardness masked regional conflict over control of natural resources. Morocco's designs on Spanish Sahara grew after the 1963 discovery of massive phosphate deposits near the town of Bu Craa. Nine years later a Spanish state mining company opened the world's second largest phosphate mining complex there. The mine, which the CIA described as among the most advanced in the world, transported phosphate along an automated sixty-mile conveyer belt to the port city of El-Aaiun, and from there to global markets where it fed the world's boundless appetite for chemical fertilizers. The CIA estimated Spanish Sahara's phosphate reserves at 1.4 to 1.7 billion tons, enough to earn US$130 million on two million tons of exports in 1974 and "sufficient to put Spanish Sahara among the world's leading producers and exporters for many years." By 1980 it predicted Morocco and Spanish Sahara would account for 27 percent of global phosphate production and 70 percent of European imports.[104]

Though Spanish Sahara had only an embryonic nationalist movement until the late 1960s, the UN Decolonization Committee came down firmly on the side of independence for the territory. In 1963 and again in 1964 the

committee called on Madrid to "to establish appropriate conditions to ensure that the population of Spanish Sahara was able to exercise its rights to self-determination and independence."[105] In 1966 the UN General Assembly affirmed the right of Spanish Sahara to self-determination and called for a referendum on independence, a position it reaffirmed annually for the next eight years.[106] In response to growing international criticism, Spain established a Sahrawi General Assembly, prompting the formation of the Saharan Liberation Movement (MLS) and other parties calling for independence. The late-arriving Sahrawi nationalist movement drew conscious inspiration from anticolonial activists in Morocco, Algeria, Tunisia, and the Canary Islands, where the Movement for the Independence and Self-determination of the Canary Archipelago had recently formed.[107] In 1971 El-Ouali Mustapha Sayed, a Sahrawi refugee living in Morocco, formed the Front for the Liberation of the Seguiet el-Hamra and the Rio de Oro (Polisario front), pledging itself to national liberation through armed struggle. Two years later the Polisario launched its first armed attack against a Spanish outpost, and by 1974 it had emerged as the dominant nationalist party.

UN officials and Western diplomats who visited the territory after 1971 noted the dramatic growth of nationalist sentiment and organizing. In February 1973 the MLS called an Extraordinary Session "reaffirming the Territory's right to the exercise of self- determination at such time as the Territory requested it." The MLS also demanded noninterference in its decolonization process, respect for Western Sahara's territorial integrity, rapid indigenization of local administration, and a referendum on independence.[108] The Polisario mobilized popular support around demands for self-determination, the creation of an independent socialist state, and nationalization of the territory's phosphate resources.[109] After the resignation of Francisco Franco in 1973, Spanish officials committed to holding a referendum on independence and invited a UN mission to survey Sahrawi political attitudes. Neighboring Morocco and Mauritania, however, rejected independence, and by October 1974 had developed plans to partition the territory between them. When the UN mission finally visited in May 1975 it "witnessed startling growth of indigenous nationalism." It reported that "almost all those persons encountered by the mission, [were] categorically for independence and against the territorial claims of Morocco and Mauritania," with "mass demonstrations in support of the [Polisario] in all parts of the Territory."[110] The CIA concluded that "Saharans would almost certainly opt for independence in any fair referendum."[111]

As with West Irian, tropes about Spanish Sahara's small population, primitivism, and backwardness deeply structured official discussions of the territory's future. On an October 1974 trip to the Middle East, US Secretary of State Henry Kissinger met with Chairman of the Revolutionary Council of Algeria Houari Boumédiène, who expressed support for self-determination in Spanish Sahara. "I want it to go away!" Kissinger fumed in response. "I can't get excited about 40,000 people who probably don't know they're living in Spanish Sahara. . . . The only question is what country exerts a dominating influence."[112] Small states like Guinea-Bissau and Western Sahara were an "absurdity," Kissinger told Moroccan King Hassan, who informed him of Morocco's and Mauritania's plans to invade if Spain granted independence.[113]

The growing strength of the Polisario prompted Morocco to begin a military buildup along the border with Western Sahara in an attempt to pressure the Spanish government to negotiate a direct handover of the territory. Both Spain and Morocco also sought to cultivate more moderate political parties. In September 1974 Morocco, Spain, and Mauritania asked the International Court of Justice to rule on the merits of Morocco's claim to the territory. The ICJ team arrived the following May, just as the UN mission was departing. The ICJ advisory opinion issued five months later systematically dismissed Morocco's and Mauritania's historical claims to the territory. It also firmly rejected assertions that the Sahrawi lacked the social and political organization to effectively represent themselves. The ICJ's ruling reaffirmed the right of the people of Western Sahara to self-determination independent of Spanish, Moroccan, or Mauritanian wishes. At the same time, it acknowledged the difficulty of fitting nomadic peoples who routinely crossed borders into the existing legal scheme of territorial and state-based sovereignty.[114] "Self-determination for 40,000 nomads?" Tunisian President Habib Bourguiba asked a reporter from the French newspaper *Le Monde*. "Let's not exaggerate." Western Sahara was "a little phantom state" best absorbed by its neighbors lest it destabilize the region and invite intervention by the United States or Soviet Union.[115]

In the wake of the ICJ opinion, Spanish officials recognized the Polisario as the legitimate representative of Sahrawi nationalism. While committed to organizing a UN-sponsored referendum on self-determination, Spanish officials privately ruled out independence and expressed a preference for Moroccan and Mauritanian partition. In an October 4 meeting with Henry Kissinger, Spanish Foreign Minister Pedro Cortina observed that while it

was important "to maintain the form of a referendum on self-determination," the people of Western Sahara would be called upon "to show their preference either for Morocco or for Mauritania" rather than independence.[116]

Morocco rejected even the possibility of independence for Spanish Sahara and began preparing for a military invasion and a massive "Green March" of hundreds of thousands of civilians into the territory.[117] Hoping to prevent armed conflict, UN Secretary General Kurt Waldheim suggested a resolution along the lines of the "West Irian model." He proposed a Spanish withdrawal, temporary UN administration, and a "consultation" of Western Saharans that would ratify partition of the territory between Morocco and Mauritania. Kissinger described Waldheim's proposal more bluntly: "Just turn it over to the UN with a guarantee it will go to Morocco." With armed conflict imminent, Spain announced it would hand over Western Sahara to Morocco and Mauritania and withdraw by February 1976.[118] The Polisario bitterly protested to the UN Security Council that the agreement "defies international opinion and the United Nations resolutions on Sahara." On November 28, 1975, Sahrawi organizations issued the "Guelta" declaration recognizing the Polisario as the "sole legitimate authority of the Saharan people."[119] Shortly afterward, Moroccan and Mauritanian forces invaded in force, prompting a massive refugee exodus to neighboring Algeria, from which the Polisario would launch military operations and benefit from Algerian support for the next fifteen years.

On February 27, 1976, as the last Spanish forces withdrew, the Polisario declared the independence of the Sahrawi Arab Democratic Republic (SADR). The invasion drew swift condemnation from the Organization of African Unity, which recommended recognizing the Polisario Front, voted to hold a special session on Western Sahara, and sought to broker a ceasefire. The Non-Aligned Movement also backed the SADR, passing resolutions in 1976 and 1979 supporting Western Sahara's right to self-determination and independence. The deeply divided UN General Assembly passed dueling resolutions sponsored by Morocco and Algeria, though both acknowledged Western Sahara's right to self-determination.[120] While postcolonial states were split, Western nations mostly backed Morocco and Mauritania. They acknowledged Western Sahara's right to self-determination but subordinated it to broader strategic and economic considerations. France, the United States, and Britain prioritized the flow of phosphate imports from Morocco, access to the Straits of Gibraltar, and military relations with Morocco and Spain. R. N. Dales of the British

Foreign and Commonwealth Office spoke for many when he wrote, "Although, in line with our general policy on self-determination, we have given support in principle to the Saharans' right to decide their own future, we have in common with the rest of the Nine sought to avoid offending the Moroccans (who supply 75% of our imports of phosphates and are also helpful to us over Gibraltar). Our objective is, therefore, to keep out of the dispute." The Soviet Union, which acknowledged Western Sahara's right to self-determination but refused to recognize the Polisario, maintained good relations with both Algeria and Morocco and remained mostly silent. British officials in Algiers, however, reported the presence of Cuban and Vietnamese military advisers to the Polisario and increased Soviet military aid to Algeria.[121] UN efforts to organize an observer mission quickly sputtered in the face of opposition by the United States, France, and Saudi Arabia, which provided military equipment, fighter jets, and diplomatic support to Morocco. While many smaller OAU members supported the Polisario, Western backing for Morocco left UN Secretary General Kurt Waldheim with "no expectation whatsoever that there will be any act of self-determination or UN presence in the territory."[122]

Though the UN, OAU, and Non-Aligned Movement repeated affirmed Western Sahara's right to self-determination, they could do little in the face of French and US support for Morocco. The Moroccan and Mauritanian occupation did, however, spark a small but determined solidarity movement in numerous Western countries, lobbying governments and working to amplify the Polisario's demands for the withdrawal of Moroccan and Mauritanian forces. These disparate forces framed their support for Western Sahara on the basis of human rights, international law, and the right of the Sahrawi people to self-determination. While acknowledging the right of the Polisario to engage in armed struggle, solidarity activists downplayed the discourse of Tricontinentalism in favor of rights-based language aimed at liberal Western audiences. Political scientists and anthropologists focused on North Africa were among the first to call attention to the Sahrawi struggle, including the US-based Middle East Research and Information Project, a nonprofit research organization founded in 1971.[123] In 1976 the British-based Anti-Slavery Society and Committee for Indigenous Peoples weighed in, characterizing the invasion of Western Sahara as one front in a broader attack on the rights of Indigenous peoples.[124]

Polisario representatives and solidarity groups in Europe and North America likewise framed the Western Sahara struggle as an Indigenous

rights issue, riding the crest of an emergent transnational Indigenous sovereignty movement. The Sahara Action Committee UK, formed in London in 1977, was illustrative. Its thirty founding members included academics and journalists focusing on North Africa, as well as members of the Anti-Slavery Society, British Anti-Apartheid Movement, the UK Communist Party, Young Liberals, Third World First, Movement for Colonial Freedom founder and Labour Party stalwart Fenner Brockway, and Polisario representative Kemal Lajiar.[125] Anthropologist Teresa K. Smith helped to found the US Western Sahara Campaign, drawing support from East Timor solidarity activists, veterans of the US antinuclear movement, and Indigenous rights organizations like Cultural Survival.

Between 1975 and 1985 Western Sahara solidarity groups formed in Spain, Great Britain, Germany, Portugal, the Netherlands, Belgium, France, Algeria, and the United States. These groups lobbied their own governments and the UN Commission on Human Rights, hosted speakers from the Polisario, collected and publicized news about the ongoing war and occupation, and framed the struggle for domestic audiences around human rights, self-determination, and international law. Like the antiapartheid movement, the Western Sahara solidarity movement used self-determination as a discursive proxy for national liberation when speaking to liberal Western audiences that might otherwise blanch at supporting armed struggle.[126] The Polisario, like many contemporary liberation movements seeking international legitimacy, appealed to UN member states, international organizations like the Socialist International and OAU, international human rights groups, and Indigenous rights NGOs. For each audience it deployed different claims and appeals. In Global South settings supporters portrayed Western Sahara as part of the broader Third World struggle for national liberation. Writing to the Socialist International in 1979, the Polisario's Foreign Affairs Committee described the "main cause" of the war in Western Sahara as "an attempt to deny our people their right to self-determination and independence" (Figure 5.1).[127] Writing to Sudanese President Jafaar Numerir in 1978, members of the London-based Sahara Action Committee emphasized Morocco's and Mauritania's violation of the UN and OAU Charters and repudiation of the OAU principle of territorial integrity of member states. Khartoum, itself facing secessionist demands from the South Sudanese Liberation Movement, was unmoved. In February 1978 the Polisario appealed to the OAU's Liberation Committee and Minister's Council, then meeting in Tripoli. It characterized the

POUR UNE SOLUTION JUSTE ET PACIFIQUE DU CONFLIT DU SAHARA
FOR A JUST AND PEACEFUL SOLUTION OF THE SAHRAWI CONFLICT
LIBERTE ET AUTODETERMINATION
POUR LE PEUPLE SAHRAOUI
FREEDOM AND SELFDETERMINATION FOR THE SAHRAWI PEOPLE

Figure 5.1 Poster from the Netherlands Polisario Komite (1980).
Source: International Institute of Social History, Amsterdam.

invasion and occupation of Western Sahara as a neocolonial project of France, which was persisting "with all her force against a small African people" attempting to defend their independence and resist foreign control over its natural resources.[128]

These nonstate and NGO advocacy networks served as crucial agents for circulating self-determination claims.[129] By the 1970s these included Cultural Survival, the Anti-Slavery Society, Liberation (formerly the Movement for Colonial Freedom), and Lelio Basso's League for the Rights and Liberation of Peoples. Transnational solidarity was especially crucial for small or sparsely populated territories such as Western Sahara or Portuguese Timor that had no great power allies, lacked large overseas diasporas, and were otherwise vulnerable to pressure from larger neighbors. By 1980 more than fifty states, mostly in Africa, Latin America, and the Pacific, had recognized Western Sahara's independence and the Frente Polisario. During the same period the UN General Assembly passed more than a dozen resolutions denouncing the Moroccan and Mauritanian invasion and affirming Western Sahara's right to self-determination, joining the OAU Liberation and Ministers Committee and other regional groupings. Little changed, however, and UN-sponsored attempts to negotiate a Moroccan withdrawal from the territory stalled. Fifty years later Western Sahara remains Africa's last colony.

Self-Determination in Crisis?

For much of the decolonizing world, the mid-1970s appeared to be the highwater mark for self-determination and decolonization, but many contemporary observers considered statehood for all colonized peoples neither inevitable nor wise. Journalist and political scientist Harold Isaacs, surveying the proliferation of states in 1975, likened self-determination to a disease slowly eating away at the foundations of international order. "The road to national statehood is the road to frustration and impotence," he warned. "The dream of national self-determination becomes a nightmare from which no one, it seems, is able to awake." Presciently, Isaacs diagnosed the growing number of small states as a symptom of "the great and bewildering paradox of our time: we are fragmenting and globalizing at the same time. We spin out as from a centrifuge, flying apart socially and politically, at the same time that enormous centripetal forces press us all into more and more

of a single mass every year. World power is more concentrated and more diffused than ever before."[130] The collapse of the Bretton Woods system, the financialization of the world economy, the acceleration of economic and cultural globalization, and the persistence of great power militarism seemed to mock the hopes of small, newly independent states for political and economic autonomy.[131]

A group of Micronesian students at the University of Guam captured Isaac's unease in a different way when they petitioned a visiting UN mission in March 1973. The mission had come to survey local attitudes amidst status negotiations with the United States that would lead to a 1975 plebiscite on the future of Micronesia and establishment of local government four years later. The students were keenly aware, they wrote, of the difficulties of forming a coherent national identity "from a conglomeration of different yet unique cultures" scattered across hundreds of Pacific islands and thousands of square miles. But they also felt the weight of decades of US military, political, economic, and cultural domination, which imposed "values and customs which make us blindly desire for a non-attainable and irrelevant technological prosperity" ill-suited to local needs. The students called for an end to US military occupation, the return of public lands, an end to economic dependence, control of foreign investment, an educational system "suited and relevant to Micronesia," termination of the US trusteeship agreement, and the drafting of a constitution. Until then, they argued, Micronesian self-determination would remain "unfinished and fragmented."[132]

Pacific decolonization unfolded at a different pace and according to different dynamics than in continental Asia, Africa, and the Middle East. Between 1960 and 1974 only six Pacific colonies emerged into full self-government: Samoa (1962), the Cook Islands (1965), Nauru (1968), Tonga (1970), Fiji (1970), and Niue (1974). But nine did so (or tried) after 1975: Papua New Guinea, Portuguese Timor, the Solomon Islands, Tuvalu, Kiribati, Vanuatu, the Marshall Islands, Federated States of Micronesia, and Pulau. French Polynesia was granted political autonomy in 1977 but remains a part of overseas France. Only in New Caledonia did a significant armed independence movement emerge between 1976 and 1988, as Indigenous Kanaks attacked French-owned mining companies and other symbols of their continued political marginalization.[133] Guam remains a militarized outpost of the United States' Pacific empire, an organized and unincorporated US territory trapped in a seemingly permanent state of semi-sovereignty.[134] Most depended economically on some combination of

resource extraction, fiscal transfers from foreign donors or colonial metropoles, tourism, and, increasingly, financial services such as tax havens and offshore banking.[135] These tiny territories have managed to mobilize the limited resources of their formal political sovereignty to engage with economic globalization on the best terms they can, given their vulnerability.[136]

The growing legitimacy of expansive definitions of self-determination at the UN and the emergence of more radical tendencies such as the Tricontinental movement, whose vision of self-determination "championed armed revolt, socialism, the creation of cultural and economic institutions to resist foreign domination, and a new focus on the 'common enemy of North American imperialism,'" also produced a partisan backlash.[137] By the mid-1970s, US conservatives lumped expansive self-determination claims in with their critique of liberal foreign policy and the UN system more generally. *National Review* editor Jeffrey Hart suggested that self-determination "seems to serve only the progressive, that is, the anti-Western, pro-socialist tendency in history," echoing Daniel Patrick Moynihan's withering criticism of the UN in *Commentary* magazine.[138] In her 1979 jeremiad against human rights, Jeane Kirkpatrick argued that only weak-kneed liberals and socialists supported self-determination. "Where once upon a time an American President might have sent Marines to assure the protection of American strategic interests," she argued, "there is no room for force in this world of progress and self-determination…We seem to accept the *status quo* in Communist nations (in the name of 'diversity' and national autonomy), but not in nations ruled by 'right-wing' dictators or white oligarchies."[139] The UN was "dredging the bottom of the colonial reservoir," complained Elmer Plischke of the conservative American Enterprise Institute in 1977, in a "frenzy of territorial fragmentation, and what appears to be a rush to independence for the sake of independence—not self-determination in the pristine American sense."[140]

Soviet leaders and jurists likewise continued to struggle to contain the contradictions in their vision of socialist international law and self-determination, which parted dramatically with the commitments to territorial sovereignty and nonintervention in the 1970 Friendly Relations Declaration. Soviet officials had been arguing since the 1956 invasion of Hungary that socialist states had a duty to assist others to preserve their independence and sovereignty if they pursued a path that might threaten the socialist bloc as a whole.[141] They applied a similar logic to justify the 1968 invasion of Czechoslovakia. Czechoslovakian Communist Party

leader Alexander Dubcek's attempt at what Khruschev called "antisocialist" self-determination, he declared to the Fifth Congress of the Polish United Workers' Party on November 13, 1968, "encroaches upon the vital interests of the peoples of these countries and conflicts, as the very root of it, with the right of these people to socialist self-determination."[142] When Soviet officials began negotiations with the Organization for Security and Cooperation in Europe in 1972 on a statement of common European principles, they rejected a European proposal to include "the equal rights and self-determination of peoples," arguing that it only applied to colonial areas outside of Europe. Socialist self-determination was an act, not a process of liberal self-government. Western negotiators wouldn't budge and "refused to accept any formulation that did not include human rights and self-determination." Soviet officials were more concerned with gaining European acceptance of principles of nonintervention and the inviolability of frontiers and eventually acceded, believing that a commitment on paper to respecting the equal rights and self-determination of peoples would have little practical effect.[143] They were wrong. Principle VIII of the Helsinki Final Act defined self-determination as a continuing right of peoples "to determine, when and as they wish, their internal and external political status, without external interference, and to pursue as they wish their political, economic, social and cultural development."[144] As Helsinki Watch groups formed across Europe and the United States, they mobilized around the demand that Soviet Union allow the peoples of Eastern Europe and the Baltic states to exercise their right to political self-determination in the form of free elections.[145]

The critics were on to something. Self-determination by the 1970s had escaped the "pristine" and narrow mid-century bounds that US and Western policymakers, lawyers, and scholars had carefully drawn for it. Stateless peoples, tiny territories, and others had claimed an expansive right to self-determination that critics never imagined for them, even as they struggled to realize their demands. Armed-struggle movements in decolonizing and occupied territories were gaining recognition of their right to employ force, even terrorism, in pursuit of it. Dissidents in Eastern Europe were denouncing the Soviet Union and their own governments in its name. In the United States and other advanced industrial countries, moreover, racial minorities, students, women, gay and lesbian activists, and most importantly Indigenous peoples were beginning to frame their own demands for rights and sovereignty in terms of self-determination. Though

rooted in local concerns, many of these movements connected their demands to broader currents of decolonization and radical Third World politics. In the case of Native Americans, such claims also connected them to a growing transnational movement of Indigenous peoples in Europe, Latin America, the Pacific world, and North America seeking to restore political, cultural, and economic autonomy after decades or centuries of dispossession and forced assimilation. Self-determination, never simply a proxy for decolonization, was escaping its bounds and becoming a vernacular language of justice and sovereignty in the Global North as well.

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6

Self-Determination Beyond Decolonization

On December 12, 1968, an unlikely group of US academics, civil rights activists, congressmen, church leaders, organizers, and corporate executives gathered at the Hilton Hotel in Washington, DC, for what they dubbed the Community Self-Determination Symposium. Two summers marked by urban rebellions had demonstrated that recently passed civil rights and voting rights legislation were insufficient responses to the needs of the Black freedom struggle. Democratic Senator Gaylord Nelson suggested that many were ready for a new concept "for attacking poverty, social and economic deterioration and decay in our inner cities and in depressed rural areas." "That something," he argued, "may very well be economic development and community self-determination." Among the participants was John McClaughry, a former special assistant to Richard Nixon. He noted that African American interest in community self-determination "was the same as Indians, Mexicans, Puerto Ricans, the people of Appalachia and others who have been generally outside the mainstream of the American economy."[1]

A few months earlier, Nelson had helped introduce the Community Self-Determination Act of 1968. The proposed bill, drafted by Roy Innis of the Congress of Racial Equality, radical political economist Gar Alperowitz, and Xerox CEO Joseph Wilson, would provide direct federal grants and tax incentives to Black-owned businesses and community development corporations, offering an alternative to government-funded antipoverty and job-training programs.[2] The bill, which ultimately failed to pass Congress, grew out of a surge in activism among civil rights, community-organizing, Black Power, and Black business organizations working for "Black self-determination," a shorthand for Black political and economic power and community autonomy. In the United States, as in many other countries, the discourse of self-determination had developed a distinctly local valence reflecting concerns ranging far beyond the narrow frame of UN-sponsored decolonization.

Through the mid-1960s Cold War politics and anti-communism constrained civil rights, Indigenous, and other political movements from mobilizing self-determination claims for domestic purposes.[3] This reluctance evaporated later in the decade as a wide range of domestic social and political movements began to see their own struggles as connected to the movement for decolonization.[4] The Black Panthers, the Black Power movement formed in the Bay Area in California in 1967, helped lead the way, demanding self-determination as a form community self-control partly divorced from territorial demands and visions of postcolonial statehood.[5] Many other US political and social movements—including feminists, student activists, gay rights activists, disability and patient rights activists, and senior citizens deployed self-determination claims in similar domestic and transnational registers, stressing the need for self-rule and community autonomy even as they connected to broader currents of decolonization and radical Third World politics. In this way, self-determination was a postcolonial language of solidarity as well as a rights and sovereignty claim. In the case of Native Americans, such claims also connected them to a growing transnational movement of Indigenous peoples seeking to restore political, cultural, and economic autonomy after centuries of dispossession and forced assimilation.

Self-Determination in a Local Key

While self-determination in the twentieth century was a global discourse, its meaning emerged out of innumerable local movements connected to each other through transnational activism and solidarity. African Americans had long embraced a liberal conception of self-determination to frame struggles for political, cultural, religious, and economic autonomy.[6] Black internationalists such as W. E. B. Dubois linked the US Black freedom struggle to demands for self-determination for European colonies in Africa and the Caribbean.[7] Marcus Garvey and his United Negro Improvement Association promoted racial nationalism and economic self-sufficiency and embraced a transnational vision of self-determination shared by Pan-Asian and Pan-Islamic movements.[8] And in the late 1920s Black Communists like Harry Haywood pressed the Communist International to declare that African Americans and Black South Africans counted as oppressed nations.[9] In 1928 the Sixth Communist International passed a resolution on "The

Negro Question in the United States" that demanded "the right of Negroes to national self-determination in the southern states."[10] For the next decade, the Communist Party USA made social equality and "Black Belt self-determination" central to its national strategy. Alabama gubernatorial candidate Walter Kelly called for a Black Belt state in 1930, as did the CPUSA's 1932 vice-presidential candidate, Alabaman James W. Ford (Figure 6.1).[11]

The CPUSA's demand for a Black Belt state provoked strong opposition from moderate Black organizations and anti-Stalinist critics such as the Trinidadian journalist, historian, and activist C. L. R. James.[12] James criticized the idea of Black Belt self-determination as "economically reactionary…and politically false," a form of "inverted segregation" foisted on southern Black people by white-dominated revolutionary movements. Given the comparative conservatism and social mobility of working-class Black Americans, James argued for a more liberal vision of self-determination voiced "not as a territorial demand, but as a call for black democratic rights within American society."[13]

Through the 1940s Black internationalist and transnational advocacy networks served as the primary conduit for the continued circulation of self-determination discourse in the United States.[14] African Americans organized against the US occupation of Haiti, supported Ethiopia following the 1935 Italian invasion, forged connections with the Indian National Congress, and backed trade unionists in the West Indies.[15] After 1945 the NAACP mobilized members to oppose South African control over South West Africa and Italian attempts to regain its African colonies, to support Indonesia's independence movement, and to press US policymakers and the United Nations to support self-determination for European colonies.[16] Groups such as the Council on African Affairs, ACOA, and NAACP both educated supporters about anticolonial movements overseas and provided a conceptual frame for doing so. They also hosted a constant stream of anticolonial activists like Kwame Nkrumah, C. L. R. James, Amilicar Cabral, Jomo Kenyatta, and Julius Nyerere who encouraged their American counterparts to think broadly about the meaning of self-determination. Newly independent African states like Ghana, Algeria, and Tanzania in turn exercised a powerful pull on Black internationalists who sought models for the Black freedom struggle at home and concrete examples of political and economic organization and Black cultural revival.[17] By the 1970s, liberation movements in the Lusophone territories of southern Africa exercised a similar pull on American radicals.[18]

Figure 6.1 A 1932 Communist Party presidential campaign poster calling for African American self-determination in the South and "Equal Rights for Negroes Everywhere".

Until the early 1960s many Black organizations shied away from framing the US Black freedom struggle in global terms.[19] But the growing radicalization of the civil rights and other ethnic rights movements, an explosion in domestic antipoverty organizing, the US war in Vietnam, intervention in Dominican Republic, and the intensification of liberation struggles in southern Africa prompted both liberals and radicals to reassess domestic political and economic struggles in colonial terms. Antipoverty and community organizations critiqued War on Poverty programs and redefined their goals in ways that linked domestic poverty to an imperial foreign policy. Community organizer Saul Alinksy, as he worked on Chicago's South Side to form the Woodlawn Organization, encouraged local residents to think of their disempowerment at the hands of the city and local businesses "in terms of colonizer and colonized," a situation that would be changed "only when the colonized resisted domination."[20]

US civil rights activists, community organizations, and emerging social movements consciously domesticated self-determination. Civil rights activists such as Ella Baker absorbed the meaning of self-determination "in the context of grassroots organizing in the South" as "simply the democratic idea that an oppressed group, class or community had the right to determine the nature of the fight to end its oppression."[21] In December 1964 the Student Nonviolent Coordinating Committee (SNCC) started an Africa project to broaden its political concerns "and make the long overdue link between the struggle for self-determination of Black people abroad and the struggle of Black people in the United States against exploitation."[22]

Self-determination emerged in the 1960s as an important vernacular for full political equality for African Americans, Mexican Americans, Puerto Ricans, and other ethnic groups. It also encompassed democratic visions of community control and autonomy from exploitative economic systems and an undemocratic state. "More significant for the images it evoked and the frame of mind it engendered than for any programmatic clarity it provided," urban activist and theologian John Hall Smith observed in 1973, "this call to self-determination expressed both a rejection of outside control and an affirmation of corporate community planning and action."[23] In Los Angeles, Black activist and self-described community lawyer Robert L. Brock founded the Self-Determination Committee of California. He called for reparations for African Americans and community self-control, publishing his *Self-Help News Bulletin* under the masthead "Self-determination is Everybody's Choice."[24]

Malcolm X made the link between Black self-determination at home and anticolonialism abroad more explicit. Shortly after his 1964 pilgrimage to Mecca, he founded the Pan-Africanist Organization for Afro-American Unity (OAAU). He declared self-determination among the OAAU founding principles as "the right to direct and control our lives, our history, and our future rather than to have our destinies determined by American racists."[25] Shortly before his death, Martin Luther King articulated a similar vision linked to decolonization struggles abroad but grounded in domestic social realities. King told staff of the Southern Christian Leadership Conference, "We must make a massive move toward self-determination and the shaping of our own destiny. In other words, we must get rid of the domestic colony which is the ghetto." The Black freedom movement's embrace of self-determination as a way of framing demands intensified as the civil rights movement splintered. Such visions informed the Black Arts movement and Black liberation theology, demands for the creation of African American programs at colleges and universities, and schemes for local Black capitalism.[26] Stokely Carmichael used the two terms interchangeably, arguing in 1967 that "the goal of black self-determination and black self-identity—Black Power—is full participation in the decision-making processes affecting the lives of black people, and recognition of the virtues in themselves as black people."[27]

Black radicals looked to different models of national liberation. The Black Panthers pointed to Cuba, Vietnam, Algeria, and the Third World Left, while forging connections with liberation movements from the Caribbean to Oceana. By the late 1960s, armed liberation movements in Angola, Mozambique, Namibia, and Guinea-Bissau also exercised power as models of a more militant Black freedom struggle. "We…are colonial slaves that have the right to self-determination, just as the Algerian people have the right to self-determination," Black Panther Education Minister George Murray explained to *Tricontinental* magazine.[28] Black Power leaders such as Carmichael and Amiri Baraka drew on the writings of FRELIMO leader Eduardo Monlane and PAIGC leader Amilcar Cabral. The Struggle Newspaper Collective in Boston, publisher of the Black socialist newspaper *Struggle! Unity, Self-Determination, Solidarity*, closely monitored developments in Puerto Rico, South Africa, and in Portugal's African colonies while connecting them to community organizing news in Boston.[29] This transnational vision inspired similar movements from the Caribbean to Australia.[30]

Disillusionment after 1965 with the limited gains of civil rights and welfare rights activism fueled a surge of community activism. Much of this was grounded in criticism that the Office of Economic Opportunity's Community Action Programs, job training, welfare rights programs, urban renewal, and other initiatives were not doing enough to foster Black economic development, especially in urban areas.[31] The 1968 Community Self-Determination Act (CSDA) represented one of the most prominent attempts to channel and contain such disillusionment.[32] Richard Nixon, who supported the bill, suggested that "much of the Black militant talk these days is actually in terms far closer to the doctrines of free enterprise than those of the welfarist 1930s—terms such as self-determination, ownership, and self-help. What most of the militants want is to be included as owners, as entrepreneurs, to have a share of the wealth and a piece of the action."[33] Nixon and other conservatives hoped that an embrace of "black capitalism" would enhance the standing of moderate groups like the Urban League and encourage private investment in Black communities.[34] Although the CSDA failed to pass Congress, the bipartisan and ideologically diverse coalition it produced suggests how deeply domesticated and vernacularized such ideas had become.

African American organizations and activists disagreed profoundly on the meaning and goals of community self-determination and Black capitalism more generally. For some, Black capitalism symbolized entrepreneurship and urban employment at Black-owned firms. Roy Innis hoped the CSDA would spur the creation of community development corporations and community-controlled businesses that would plow their profits back into local services, producing broader political and economic empowerment. He drew inspiration from the Black Panthers' cooperative community businesses in the Bay Area, as well as the community organization FIGHT, based in Rochester, New York, and formed after the city's 1964 riots with support from community organizer Saul Alinsky.[35]

The Black Power movement's demands for community self-determination spurred widespread reflection among mainline Protestant churches. A 1967 National Council of Churches conference, "The Church and the Urban Crisis," birthed a group of radical Black clergy who called "for massive efforts to give financial support to black groups working for self-determination" and to support Black autonomy within historically white-dominated denominations. That same year a group of progressive clergy and activists founded the Interreligious Foundation for Community

Organization (IFCO), which aimed "to fund locally based organizations upgrading the conditions of the poor and offering participation and self-determination to people shut out of power." Urban riots that summer prompted Presiding Bishop of the Episcopal Church John Hines and Black Episcopal clergy around the country to call for the development of new programs to "encourage the use of political and economic power to support justice and self-determination for all men." Two years later IFCO organized the first National Black Economic Development Conference in Detroit, Michigan, to "develop an agenda for black economic self-determination… and community based economic development projects as alternatives" to Nixon's Black capitalism.[36]

In the wake of the Detroit conference, Christian denominations around the country reoriented their work around racial justice and community autonomy. The United Methodist Church created a Commission on Religion and Race to oversee the recent merger of its white and Black denominations. In Detroit, a coalition of Lutheran, Catholic, and Methodist churches joined with James Forman's Black Economic Development Corporation to "provide programs in the black community which shall operate on the basis of self-determination."[37] In 1969 the US Catholic Bishops Conference called on dioceses around the country to develop plans use church resources to "aid the poor of the United States to achieve self-determination." Two years later the Methodist Commission on Religion and Race announced the creation of a $4 million "minority group self-determination fund" to support groups such as the Committee for Chicano Rights, a San Diego–based immigrant rights and advocacy organization.[38]

The World Council of Churches connected such efforts to the global movement against apartheid through its Special Fund to Combat Racism. The fund directed humanitarian aid to liberation movements in southern Africa as well as Black-led organizations working for community self-determination in the United States.[39] Members of the WCC's Central Committee meeting in Canterbury, England, implored member churches "to move beyond charity, grants and traditional programming. There can be no justice in our world without a transfer of economic resources to undergird the redistribution of political power and to make cultural self-determination meaningful." The WCC's embrace of Black liberation signaled a theological and programmatic sea change among Christian churches and denominations in many parts of the world in favor of seeing self-determination as a human right. This shift was justified along antiracist

and anticolonial lines and connected to the struggles for freedom in southern Africa, and the pressure for it came from below.[40]

The intertwined demands for Black economic, religious, cultural, and political autonomy propelled diverse local self-determination movements in Oakland, Detroit, Newark, Jackson, Mississippi, Washington, DC, and other US cities. Some movements, like the Republik of Africa, revived territorial demands for a Black Belt state.[41] Others, such as Detroit's Dodge Revolutionary Union Movement and the short-lived League of Revolutionary Black Workers, grew out of radical labor activism.[42] The most important and sustained movement emerged in the District of Columbia, which in 1961 won for its residents the right to vote in presidential elections. Afterward, proponents of statehood and self-rule expanded their efforts, drawing on the energy of local civil rights and Black Power activists like SNCC's Marion Barry, who had recently arrived to organize a local chapter. They started the Free DC Movement to demand self-rule for the city, organizing boycotts, direct action, and protests to call attention to the city's disfranchisement.[43]

In 1971, shortly after Richard Nixon signed the District of Columbia Delegate Act, which gave DC one nonvoting representative in Congress, dozens of local and national groups led by the League of Women Voters, NAACP, and Common Cause formed the Self-Determination for DC coalition. The coalition lobbied to give DC proportional voting rights in Congress, locally elected officials, legislative control over local affairs, and an end to congressional control over DC's budget. Two years later Congress passed the Home Rule Act, which gave DC's residents the ability to elect a mayor, city council, and members of neighborhood advisory commissions.[44] Though some activists drew connections overseas and decried "colonial rule in our nation's capital," most defined self-determination in an American key as local self-government.[45] Critics however, pointed to unruly Soviet-backed decolonization movements abroad. Chairman of the House District Committee John McMillan described home-rule efforts as a "communist plot." Writing in the *New Republic*, Nicholas von Hoffman argued that DC displayed "levels of ineptitude in public administration that rival Botswana and Zaire" and was incapable of exercising the responsibilities of self-rule.[46]

The civil rights and Black Power movements were not alone. A wide range of movements and organizations on the US left embraced the discursive frames of anticolonialism and self-determination to describe their

aims. After the Stonewall riots in June 1969 Gay Liberation Front (GLF) groups formed in New York, Philadelphia, Seattle, Boston, Chicago, and other major cities.[47] The GLF described itself as "a militant coalition of radical and revolutionary homosexual men and women committed to fight the oppression of the homosexual as a minority group and to demand the right to the self-determination of our own bodies," both from oppressive laws and social rules and from medical and psychiatric pathologizing.[48] For many radical gay activists, association with the Third World Left flowed naturally from their opposition to the Vietnam War and the discrimination they faced in the antiwar movement.[49] A few months after the formation of the GLF disaffected Black and Latino activists split off and formed Third World Gay Liberation. The group declared, "We want the right of self-determination for all third world and gay people, as well as control of the destinies of our communities" and for "self-determination over the use of our bodies." Boston GLF members traveled to the 1972 Democratic National Convention in Miami, where they presented a ten-point plan for gay liberation modeled on North Vietnam's seven-point peace plan. They called for the "disbanding of police and armed forces" and "self-government and self-determination of all peoples irrespective of national, sexual, party, race, age or other artificially imposed categories."[50]

Feminist and lesbian organizations often described women's self-determination in similar terms, as both collective emancipation and personal autonomy free of prescribed gender or sexual roles.[51] Betty Friedan in *The Feminine Mystique* compared suburban housewives to concentration camp prisoners whose "capacity for self-determination" was "systematically destroyed."[52] The National Organization for Women mobilized the discourse of self-determination to describe its demands for bodily, social, and reproductive autonomy—"self-determination for pregnant women," quipped *The Washington Post*.[53] Speaking at the First National Conference on Abortion Laws in Chicago in 1969, Friedan declared that "the real sexual revolution is the emergence of women from passivity, from thing-ness…to full self-determination, to full dignity."[54] A *New York Times* journalist fretted about "militant nuns…demanding self-determination for religious communities and an end to supervision by clergymen."[55]

The overlapping visions of many radical social and political movements encouraged a shared vocabulary of solidarity. In September 1970 the Black Panther Party organized a Revolutionary People's Constitutional Convention in Philadelphia that drew thousands of antiwar, student, women's liberation,

gay liberation, Black Muslim, Chicano, and other activists to draft a new constitution representing oppressed peoples.[56] The convention itself featured workshops on the self-determination of peoples and women that included demands for equal status, equal participation in government, and reproductive rights.[57] Many feminist organizations also made the connections between women's liberation and anticolonial self-determination. The Third World Women's Alliance, cofounded by the Black feminist and antiwar activist Frances Beal, connected the struggle for racial, economic, and reproductive justice at home with the struggle against colonialism and imperialism overseas.[58] The American Indian journalist and American Indian Movement (AIM) activist Minnie Two Shoes insisted in 1974 that "only as non-western women realize the sexual revolution within their anti-imperialist revolutions for self-determination will we be able really to understand the diverse 'regional stamps' of this struggle."[59] Many non-Western participants at the 1975 International Women's Year conference in Mexico City agreed that women must demand sexual and gender self-determination as well as support the self-determination struggles of Palestinians, South Africans living under apartheid, and other colonized peoples.[60] This discursive turn spread to other countries such as Germany, where feminist, disabled, and patients-rights activists framed their demands for individual autonomy against oppressive state and private institutions in similar terms.[61]

Domestic self-determination claims often combined cultural, political, and economic demands as part of a reimagining of group identity, history, and culture. The revival of Native American fishing and ritual practices, the emergence of the Black and Chicano arts movements, and demands for the creation of university-based ethnic studies programs reflected the belief that internal decolonization required a reassertion of ethnic pride and identity as a basis for political mobilization. The movement for ethnic studies programs grew directly out of this recognition. In November 1968 an interracial coalition of student groups at San Francisco State University led by the Black Students Union formed the Third World Liberation Front. It demanded the admission and hiring of more Third World students, faculty, and administrators and creation of a College of Ethnic Studies. Student occupations at the University of Hawai'i, Berkeley, Dartmouth, and other schools made similar demands.[62] In April 1969 Chicano students, educators, administrators, and community organizers from across California met and developed "The Santa Barbara Plan," a manifesto calling for the creation of Chicano studies programs at state colleges and universities. "The

demand for self-determination in higher education," the Chicano Coordinating Council on Higher Education insisted, was "a matter of survival, progress, and dignity" that would help in the fight against the exploitation, impoverishment, and marginalization of Chicano people in the broader society.[63]

Supporters of Puerto Rican self-determination made more direct and compelling connections with decolonization struggles abroad. Puerto Rican independence advocates continued to agitate even after the territory achieved commonwealth status in 1952.[64] Their demands for self-determination transformed as hundreds of thousands migrated to the US mainland, especially New York City and Chicago. The creation of a massive, culturally vibrant diaspora facing urban poverty, discrimination, and police violence propelled a generation of community activists, who in 1968 created the Young Lords. The Lords' thirteen-point platform demanded self-determination for Puerto Rico, the Puerto Rican community in the United States, and Latinos more generally (Figure 6.2). While steeped in the broader ideological currents of radical anticolonial nationalism, the Young Lords' vision of community self-control and racial justice informed organizing around tenants' rights, improved sanitation, access to healthcare, and other local issues. Puerto Ricans shared this diasporic vision of self-determination with immigrants from other US overseas territories such as Guam, the Marshall Islands, and American Samoa.[65] Accordingly, the Lords also stressed the need for cultural, linguistic, and educational autonomy as a cornerstone of community cohesion and resistance. They established "liberation schools" and a newspaper, *Palante*, that connected Puerto Rico's independence struggle to other anticolonial movements as well as to the "Puerto Rican colony in New York City." "We used the term 'self-determination' because we tried to find a concept that anybody could understand," Young Lords founder José "Cha Cha" Jiménez later recalled. "People raised in the United States understood and were more comfortable with the term 'self-determination' than independence because that's basically what the United States fought for against England. Even if we were not afraid to use the term 'independence,' we also preferred self-determination because we recognized that there is no country in the world that is really wholly independent."[66] Like other radical US political and cultural movements, members of the Young Lords deployed self-determination flexibly, not only as a sovereignty claim but also as a bottom-up language of solidarity connecting them to other struggles.

Figure 6.2 A 1970 Young Lords poster that reads, "We want self-determination for all the Latin countries and Latin people: Solidarity with Latin America".
Source: Library of Congress, Prints & Photographs Division, Yankee poster collection, LC-USZC4-11890.

Indigenous Self-Determination

Resurgent Indigenous sovereignty movements in the United States, Canada, Australia, Brazil, Norway, and other countries starkly illuminated the changed domestic and international politics of self-determination in the 1960s and 1970s. Native American and other Indigenous peoples had long framed their sovereignty claims in an international context. As Woodrow Wilson traveled to Paris in 1919, Lakota activist Gertrude Bonnin insisted that US Native Americans were the domestic equivalent of the "small nations and remnants of nations" whose fate was being adjudicated there, and that they had the same rights to self-determination. Writer and activist Mabel Powers argued that "the autonomy of little peoples is not a problem and experiment confined to the world across the big sea water, nor south of the Rio Grande."[67] Native Americans disagreed on precisely what self-determination meant. Some, like Bonnin, viewed self-determination in liberal Wilsonian terms as a fuller form of democratic citizenship. Others looked to wider visions of collective Indigenous cultural, political, and economic sovereignty, such as the Iroquois petition on behalf of the Six Nations of Canada to the League of Nations. But even in the early twentieth century, Native American sovereignty claims drew from and informed anticolonial ideologies already in global circulation.[68]

For the next half-century Native Americans as well as their erstwhile allies and opponents viewed their legal and political status as a proxy for broader debates over the meaning of self-determination. When US Senator Holm Bursum proposed in 1921 to strip Pueblo Indians of their land rights, opponents framed the debate as a test of the US commitment to Wilsonianism. *The New York Times* wondered what it would take to "secure for the little minorities whom they represent the justice we are so eager to assure to ancient minorities in other parts of the world."[69] Similar discussions unfolded in 1934 when Congress passed the Indian Reorganization Act (IRA) and when new Bureau of Indian Affairs (BIA) Commissioner John Collier launched the so-called Indian New Deal. The act accorded Indian nations a greater measure of political and economic sovereignty and terminated the federal allotment policy, though more far-reaching provisions expanding Indian self-rule were stripped from the final legislation. But the IRA established the principle of Indian self-determination and prompted wide-ranging exploration among Native American tribes about what genuine sovereignty might look like.[70]

Some US officials and scholars compared the status of Native Americans to minority groups in the colonial world. "Indians face a problem which is in essence a problem of the whole world," John Collier argued in 1942. "It is the problem of reconciling the rights of small groups of peoples to cultural independence with the necessity for larger economic units demanded by modern methods of production and distribution. This is the problem of small states and small cultural groups everywhere."[71] It was against this backdrop in 1949 that the American Association for Indian Affairs and the American Indian Fund organized a two-day workshop to evaluate progress under the IRA since 1934. "Self-determination and self-management," the conference promised in assimilationist tones, "are not only the right of American Indians as citizens of the United States, but are essential steps toward more rapid adjustment of Indian people to the national life."[72] The workshop included Native American scholar-activists like D'Arcy McNickle; Evon Vogt, an anthropologist studying the Indians of Chiapas, Mexico; and John Embree, a Yale anthropologist specializing in Japan. Embree called for elimination of the BIA, endorsed the alienation and privatization of Indian land, and compared US guardianship over Indians to Micronesia under US trusteeship. He suggested the need for "internal decolonization" of the reservation and acculturation as a prerequisite for "internal self-determination." "Acculturation does not mean the complete elimination of the cultures involved," he told attendees. "In fact, a small group with some economic security and internal self-determination is much more likely to maintain its cultural values."[73] Collier argued that anti-colonial activists and colonial administrators alike should look to US Indian policy as a source of inspiration for their own decolonization processes.[74] D'Arcy McNickle of the National Congress of American Indians (NCAI) employed the same logic, albeit for different ends. In 1951 the NCAI proposed a "Point Four Program for American Indians," arguing that reservations deserved development assistance like other underdeveloped nations.[75]

Native American hopes for greater self-determination faced stiff odds. President Dwight Eisenhower shifted federal policy in favor of terminating treaty rights, breaking up reservations, withdrawing federal assistance, and forcibly relocating and assimilating Indian peoples. In 1952 the BIA established the Voluntary Relocation Bureau to facilitate the relocation of 30,000 Indians to Chicago, Minneapolis, and other cities, part of a wave of more than 120,000 off-reservation migrants between 1940 and 1960. The following year Congress stripped treaty rights and recognition from

nearly fifty tribes, including the Klamath, Menominee, Flathead, and Potawatomi nations.[76]

Termination advocates rejected the Indian New Deal vision of collective Native self-determination, tribal and reservation sovereignty, and greater collective control over resource management and investment. They viewed self-determination in liberal, assimilationist terms as an individual right to self-government, grounded in citizenship and participation in electoral politics. Termination supporters argued that many Native American tribes were too small and backward to effectively exercise collective rights, the same argument made against self-determination for small peoples and territories around the world. Vine Deloria acknowledged these concerns but insisted that "compared to other small nations, tribal nations were comparable in terms of land mass, population, economic viability, and educational levels to many of their peers in the global community."[77] Both advocates and critics of expansive self-determination claims were trapped in the same discursive frame, employing developmentalist criteria concerning state viability and the problems of small states and peoples to either include or exclude Indigenous peoples.

Termination also coincided with a global and US energy boom that produced insatiable demand for the water, uranium, coal, oil, and gas, and other minerals that often lay under Indian reservation lands.[78] Under the 1938 Indian Mineral Leasing Act, federal officials rather than Native American tribes oversaw the negotiation of mineral leases, but energy firms, with their near monopoly on technical capacity and expertise, usually secured agreements tilting heavily in their favor. Indians attempting to negotiate on their own behalf were "lambs in a world of wolves," as historian William Brandon put it in 1970.[79] Mineral leases on Indian lands closely resembled colonial concessions overseas, with exploitative terms, low, fixed royalty rates, and disastrous environmental consequences. Between 1944 and 1986 mining companies extracted thirty million tons of uranium ore from hundreds of mines on Navajo lands in the US Southwest.[80] In 1963 General Electric subsidiary Utah International opened the world's largest strip mine on thirty-one thousand acres of Navajo land in New Mexico. A decade later the mine was burning seven million tons of coal per year at the nearby Four Corners power station. Younger activists condemned collaboration between electric power companies, the Department of the Interior, and Hopi and Navajo tribal councils, who they charged were "destroying the land base, the water resources, and the

mineral rights of the Hopis and the Navajos." But many tribal leaders welcomed energy development on reservation lands, even as grinding poverty limited their ability to evaluate the economic, cultural, and environmental costs and benefits.[81] "This is a first step toward self-determination," Navajo Vice Chairman Wilson Skeet told more than sixty mining executives in 1971 as he announced $3 million in leases for uranium mining on Navajo land in New Mexico.[82]

The federal assault on tribal sovereignty and the economic exploitation of Indigenous lands spurred a revived Native American sovereignty movement. In 1956 anthropologists D'Arcy McNickle and Robert K. Thomas started the Workshop on American Indian Affairs, where Indian youths were encouraged to "develop a transnational perspective" and analyze Indian history and politics in the context of the global movement for decolonization.[83] Organizers introduced them to the work of critical anthropologists like Sol Tax[84] and Ruth Benedict, who stressed the value and vitality of Indigenous cultures and rejected the politics of assimilation, termination, acculturation, and the developmentalist assumptions underlying them. Instead, the workshop emphasized Indian cultural revival as a basis for renewed sovereignty claims, prefiguring the ethnic studies movements of the 1970s.

That same year the AAIA drafted legislation to repeal termination and introduce an "American Indian Point IV Program" providing development and technical assistance to reservations, tribal self-determination, and a return to local self-government. Sponsor Senator James Murray (D-MT) argued that like underdeveloped nations elsewhere Native Americans could employ the "tested techniques" of Point IV to jump-start the modernization process. Officials in the incoming Kennedy administration likewise viewed Native American policy through the lens of modernization theory. The Interior Department's 1961 Task Force on Indian Affairs declared that "American Indian Communities could not persist as nations within a nation" and needed to "take their place alongside other Americans." Indians were citizens rather than members of a nation or minority group; the tribe and reservation were atavisms of a bygone era.[85]

Native American sovereignty activists rejected this diagnosis. In 1961 the NCAI announced as its organizing principle "Self-Determination—Not Termination," by which it meant "preservation of treaty rights, consultation on policy changes, and economic self-sufficiency." That June, NCAI and Sol Tax organized the American Indian Chicago Conference, which gathered

tribal representatives and activists from across the country. Attendees produced a "Declaration of Indian Purpose" calling for abolition of the BIA, the preservation of tribal sovereignty, and a federal commitment to tribal self-determination. A few weeks later graduates of the Workshop on Indian Affairs formed the National Indian Youth Council, part of a growing movement against termination and for internationalization of the Native American sovereignty movement. Canadian Indigenous activists mobilized in similar fashion, forming the National Indian Council in 1961 to coordinate the activities of treaty Indians, non-treaty-status Indians, and Métis. Liberal supporters helped amplify their voices. In 1965 the Board of Missions of the United Presbyterian Church and the Institute of Indian Studies at the University of South Dakota published *The Right to Be Indian*, a classroom study that framed Native demands for educational and political autonomy as in keeping with "the American value of self-determination."[86]

Indigenous leaders and activists were deeply aware of the similarities and differences between theirs and other movements. They began to articulate a distinctive vision of "postcolonial nationhood" that "adhered fully to neither a civil rights framework for defining equality nor a Third World decolonization framework for defining anticolonial sovereignty." This "third space of sovereignty," as historian Kevin Bruyneel terms it, consisted of "local self-determination of internal institutions amid, and with the support of the American state."[87] Indian activists expressed growing frustration with the Kennedy administration and Interior Department's commitment to termination, as well as the developmentalist language used to describe Indian communities. This frustration spurred rising activism on a number of fronts, including a movement for fishing rights that began in Washington state in 1964.[88] Kennedy's death, the Johnson administration's declaration of a War on Poverty, and passage of the 1964 Economic Opportunity Act created new opportunities for Indian activists and organizations. Within the Office of Economic Opportunity the Administration created a Committee on Indian Community Action and the War on Indian Poverty Task to coordinate a growing range of federal programs.

The NCAI and many Indian activists sought to take advantage of the opportunities for advancing Indian self-determination through the Office of Economic Opportunity's community action program. The American Indian Capital Conference on Poverty in May 1964 proposed "the initiation, planning and implementation of programs by Indian people" as "consistent with the philosophy of encouraging self-reliance and self-determination."[89]

The program's early emphasis on maximum feasible participation provided reservation Indians in many states with opportunities for the first time to directly administer federal funds for work training, public health, and other programs providing vital services to impoverished Indian communities. In nonreservation states such as Illinois and Oklahoma, and through the critical advocacy of groups such as Oklahoma for Indian Opportunity, OEO programs helped to heighten Indian identity and supported economic development, the creation of Indian-led institutions, and tribal self-determination, as "questions regarding political autonomy, cultural persistence, and federal trust responsibilities filtered back into tribal, state, and national politics."[90]

Many Native American activists saw the Indian Great Society as a stalking horse for greater BIA control over tribal affairs. The Interior Department seemed to confirm these fears when it drafted an Indian Resources Development Bill empowering the Bureau to mortgage and even sell tribal lands to fund economic development projects. The NCAI mobilized more than sixty tribes to oppose the bill, and in the process clarified its commitment to maintenance of the federal trust relationship and land and resource sovereignty as cornerstones of Indian self-determination.[91] In March 1968 Lyndon Johnson embraced the NCAI's vision as an organizing principle for federal Indian policy, framed in the context of extending Great Society programs of self-help and economic opportunity to "forgotten Americans."[92] Richard Nixon continued with the broad contours of Johnson's approach. But he rationalized his policy as consistent with "New Federalist" goals of decentralizing and privatizing government services so as to reduce the alleged dependency of Native American tribes on the BIA and federal largesse more generally.[93]

The Nixon administration proved amenable to Native American demands for greater tribal self-determination. After years of negotiations, in 1971 Congress passed an Alaska Native Claims Settlement Act granting Native peoples title to forty-four million acres of land and nearly one billion dollars in compensation for land taken from them over the course of the previous century. The act established more than two hundred Native corporations with tribal members as shareholders, as well as regional development corporations with the right to sign new extractive resource concession agreements and establish businesses.[94] In 1973 the Justice Department even sided with Washington Indian tribes in a lawsuit against the state over the extent of tribal fishing rights in Puget Sound.[95]

The US government's grudging acceptance of self-determination and retreat from termination was a partial response to resurgent activism by groups like AIM, founded in 1968 and initially drawing its support from urban Indians in cities such as Minneapolis and Chicago. New publications such as *Akwesasne Notes*, published by the Mohawk nation, reported on Native American politics, policy, activism, and international news related to decolonization and international Indigenous movements, especially in Canada.[96] Radical Native American activists, moreover, engaged in dialogue with non-Native social movements, especially the Black Power movement. Vine Deloria recalled that "for many people, particularly those Indian people who had supported self-determination a decade earlier, Stokely Carmichael was the first black who said anything significant." He suggested that "black power clarified the intellectual concepts that had kept Indians and Mexicans confused and allowed the concept of self-determination suddenly to become valid."[97] Leftist organizations like the Socialist Worker, in turn, embraced the Native American sovereignty movement, campaigning for California statehouse elections in 1970 on a platform that lumped together Native, Black, and Chicano self-determination claims (Figure 6.3).

After a long and winding legislative path, in December 1974 Congress passed the Indian Self-Determination and Education Assistance Act (ISDEAA), institutionalizing the decades-long efforts of Native American tribes to wrest greater political and economic sovereignty from the federal government.[98] The legislation ended the BIA's role in administering federal assistance in tribal areas and for the first time enabled tribes to contract directly with the federal government to provide social, educational, and other services.[99] Mainstream Native American organizations responded enthusiastically to Nixon's policy shift, which promised "to set in motion the mechanics and facilities which will elevate us to full status as human beings and citizens with the right to self-determination," though some worried about the "decentralization of everything" approach of the administration.[100] The act created substantial new bureaucracies for implementation, including thick federal handbooks for self-determination grants, contracting of authorized BIA programs, planning for BIA-operated programs, and access to federal personnel.[101] The new law and regulations were so voluminous that NCAI's first grant proposal to the BIA was for simply studying the act to digest its meaning for member tribes.[102]

Passage of ISDEAA wrenched the politics of Indian self-determination from the terrain of political mobilization to bureaucratic struggle and legal

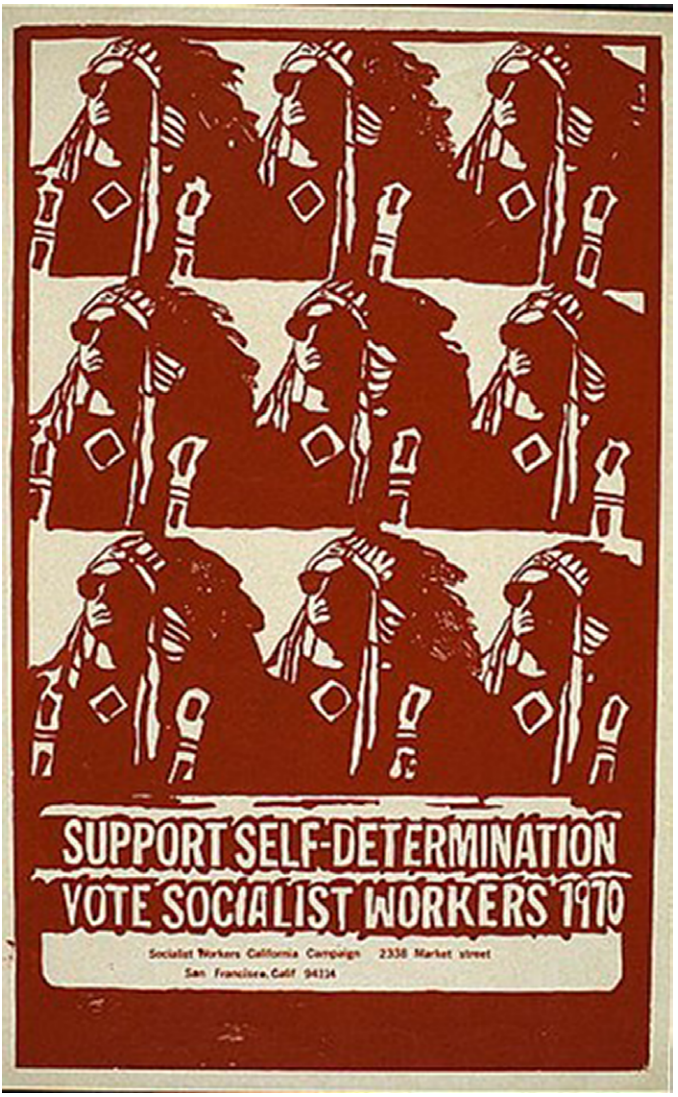
SUPPORT SELF-DETERMINATION
VOTE SOCIALIST WORKERS 1970
Socialist Workers California Campaign 2338 Market street
San Francisco, Calif 94114

Figure 6.3 Socialist Workers Party California Campaign, 1970.
Source: Library of Congress Prints and Photographs Division, LC-USZC2-6384.

language. As Vine Deloria and Clifford Lyttle acidly observed, it also redefined tribal nations as "eligible recipients of sponsoring agencies for the administration of Federal programs." Interior Department officials noted to their surprise, however, that they did not even have a working definition of Indian self-determination. The BIA predictably defined this narrowly as the

right of tribes within reservation boundaries to assess their own needs, design, contract for, and implement federal programs "within the broad category of activities carried on by the federal government." The BIA defined self-determination wholly within a domestic political and administrative context, without reference to UN resolutions or legal scholarship.[103] Longtime BIA veteran La Follette Butler, appointed to head the Indian Self-Determination Staff, noted the need to develop Indian capacity for self-government destroyed by decades of federal policy. "What is the Indian Self-determination Act anyways?" Butler asked. "[It] is not a certain number of contracts to operate BIA programs. It is not the substituting for federal dominance, dominance by well-meaning non-bureaucratic 'experts,' including attorneys. The Indian Self-determination Act is only a part of a process whereby tribes can achieve self-determination for themselves."[104]

The ISDEAA had virtues over OEO programs. Many of the latter were administered by private contractors, often large corporations. The new legislation, in contrast, spurred the formation of tribal and Indian owned corporations like the Mississippi-based National Indian Management Service, which offered to "assist tribes in attaining those fiscal management and organizational capacities which are crucial to the successful procurement and administration of federal grants and contracts."[105] AIM viewed these measures as grossly inadequate. It undertook more direct actions like the occupations of Alcatraz Island, Wounded Knee, and the BIA to call attention to the broader dimensions of Indian self-determination. Like the civil rights and Puerto Rican nationalist movements, many Native Americans drew legitimacy from cascading self-determination claims at the UN, within the Non-Aligned Movement, and by socialist states. They also sought to recover Indigenous conceptions of self-determination to animate their demands. The International Indian Treaty Council's June 1974 "Declaration of Continuing Independence," for example, called for the honoring of prior treaty rights as a basis for expanded human rights and Native self-determination.[106] In the spring of 1976 hundreds of young Indian activists embarked from Washington state on a cross-country caravan they called the "Trail of Self-Determination" (Figure 6.4), eventually meeting officials at the BIA to present demands couched in the language of Third Worldism and Indigenous sovereignty.[107]

Although the ISDEAA marked a dramatic expansion of Indian sovereignty, it failed to address tribal demands for expanded land-use rights, revision of mineral lease agreements, and permanent sovereignty over natural resources. Here Native American tribes and activists employed tactics similar to

Figure 6.4 American Indian protesters march past the White House during the Trail of Self-Determination demonstration in 1976. Photo by Glen Leach.
Source: DC Public Library Washington Star Collection.

anticolonial elites who in the 1960s and 1970s were attempting to forge new doctrines of Third World international law to justify claims of resource sovereignty.[108] In 1967 Standing Rock Sioux lawyer Sam Deloria founded the American Indian Law Center at the University of New Mexico. Four years later his father, Vine Deloria, started the DC-based Institute for the Development of Indian Law, part of a wave of Native American legal organizations that included the Native American Rights Fund, founded in 1970. These institutions, along with the newly formed *American Indian Law Review* and *American Indian Journal*, cataloged existing treaties, monitored federal Indian policy and legal scholarship, and provided forums for scholars asserting expanded conceptions of cultural, political, and resource sovereignty. Like their counterparts in Australia and New Zealand, Native American tribes attempting to reverse tribal termination argued that such policies violated superseding treaty law. Vine Deloria's *Behind the Trail of Broken Treaties* (1974) invoked the principle of inherent tribal sovereignty as a basis for expanded self-determination claims, arguing that treaties negotiated between states and Native American tribes were living legal documents that demanded enforcement.[109]

Efforts to secure greater control over natural resources exposed deep divisions among tribes. Was the land merely a commodity, filled with resources to be exploited for development, or a resource itself with enduring cultural and ecological value for Native identity? Many impoverished communities were anxious for economic development but fearful of the cultural and environmental consequences of rapid exploitation of resources by non-Native peoples and companies. The push for economic self-determination and resource sovereignty among Indian tribes thus also spurred a push for democratization from below, as younger activists and tribal members sought more meaningful community control over decision-making with regards to economic development. Reservation Indian activists in the Southwest opposed to the cultural and environmental consequences of coal and uranium mining sought to block some projects and revoke mining permits. Until the 1970s they mostly failed, stymied by unsympathetic federal officials, pro-mining tribal leaders, and insufficient technical and legal knowledge concerning mineral extraction. This began to change as increasing numbers of young tribal members went to law school, created environmental organizations, or worked with groups like the Sierra Club and the newly formed Native American Rights Fund, which helped resource-rich tribes develop legal strategies for securing greater control over mineral extraction and water rights. In 1973 Northern Cheyenne Indians in Wyoming took the extraordinary step of halting coal mining on reservation land and voiding all existing contracts, forcing energy companies to renegotiate fairer and more environmentally sustainable agreements.[110] The next year more than two dozen tribes formed the Native American Natural Resources Development Federation and issued a "declaration of Indian rights to the natural resources of the Northern Great Plains," deploying the language of permanent sovereignty over natural resources and invoking their "prior and paramount rights" to them as a function of their "inherent right to self-government."[111] Resource-rich Indian nations in 1975 formed the Council of Energy Resource Tribes in an effort to "wrest the monopoly in technical expertise over natural resources from the Interior Department" and "cultivat[e] their own expertise and energy development." Navajo Tribal Chairman Peter MacDonald described the council as an "Indian OPEC," framing Indian demands for greater economic self-determination and resource sovereignty in a global context.[112]

Indigenous Internationalism

Indian sovereignty activists in the United States were engaged in dialogue with other domestic social movements, as well as with Indigenous movements in other countries and postcolonial states. The same technological and ideological forces that were enabling transnational Black Power activism facilitated Indigenous self-determination movements in many parts of the world: in settler colonial states such as Canada, New Zealand, and Australia; among the Artic peoples of Greenland, Canada, and the Nordic countries; among Pacific Island peoples who framed their identity in Indigenous terms; among self-identified "tribal" peoples of India, Burma, Malaysia, Indonesia, and Papua New Guinea; and among Indigenous groups in Brazil, Mexico, Columbia, Guatemala, Nicaragua, Bolivia, Peru, and other Latin American countries. The myriad Indigenous peoples deploying self-determination claims in the 1960s and 1970s shared wildly different experiences and conceptions of indigeneity and made a wide range of sovereignty demands. But they were connected by common histories of land dispossession, forced assimilation, denial of the legitimacy of Indigenous identity, legal, political, and cultural marginalization, and environmental and economic exploitation at the hands of mining, logging, fishing, energy, and agricultural interests. Indigenous sovereignty claims often differed from those of anticolonial movements seeking independence and statehood. At the same time, Indigenous activists drew on anticolonial thinking to inform their demands and even forged ties with national liberation movements as models of militant struggle against the colonial rule they faced in their own, sometimes postcolonial states.[113]

For most of the twentieth century Indigenous peoples had no standing in international law and were wholly subject to the jurisdiction of the states in which they resided. Most Indigenous movements directed their claims to national governments, seeking political recognition and sovereignty against state-sponsored programs of dispossession and assimilation. The few early twentieth-century attempts at Indigenous transnationalism involved appeals to international law and institutions on behalf of Indigenous peoples as full-fledged nations, such as the failed Iroquois petition on behalf of the Six Nations of Canada for membership in the League of Nations.[114] Maori peoples in Aotearoa New Zealand and Aboriginal peoples in Australia likewise petitioned crown governments for recognition of legal, cultural, and land rights, and to protest official racism and forced

assimilation.[115] Within the British Commonwealth, paternalistic organizations such as the Aboriginal Protection Society and Anti-Slavery Society occasionally advocated on behalf of Indigenous people, though their racism, exclusionary membership, and assimilationist politics limited their effectiveness.[116] Communist parties in the United States, Australia, and New Zealand before World War II supported the rights of Native American, Aboriginal, Maori, and Samoan peoples to self-determination. Like orthodox Marxist and Communist theorists in the Soviet Union, however, most had no language to describe indigeneity and lumped Indigenous in with other colonized peoples. Canada's Communist Party ignored First Nations entirely.[117]

The creation of the UN hardly improved matters. Indigenous people were totally ignored at Dumbarton Oaks and San Francisco. They did not even exist as a category in international law, and with few exceptions UN member states with Indigenous populations embraced land alienation, dispossession, forced assimilation, and economic development as strategies for dealing with them. Most diplomats and Western scholars lumped Indigenous or Native peoples in with the other residents of colonial territories, while occasionally referring to primitive or backward "tribes," aboriginals, or "savages" within them. On rare occasions Indigenous peoples or their purported allies petitioned for UN action. In 1946 the Australian Committee for the Defense of Native Rights appealed to the UN secretary general "to take up the question of securing liberty and rights for the aboriginal peoples in accordance with the principles of the Charter." The appeal was ignored.[118] The International Labour Organization was the first UN agency to address Indigenous peoples. In 1953 it published a research guide, *Indigenous Peoples: Living and Working Conditions of Aboriginal Populations in Independent Countries*, and in 1957 adopted its first Indigenous and Tribal Populations Convention (No. 107). Convention 107, while acknowledging Indigenous land and cultural rights, framed its goals in developmentalist and assimilationist terms as the "protection of the populations concerned and their progressive integration into the life of their respective countries" as individual citizens.[119]

Many Indigenous peoples related uneasily to the UN-sponsored process of decolonization. Most postcolonial governments targeted groups identified as tribal, Native, or Indigenous with state-sponsored projects of agricultural modernization, incorporation, assimilation, and resource extraction. As a result, through the 1950s and 1960s Indigenous sovereignty movements mobilized

locally and defensively against state policies of forced assimilation, dispossession, and resource extraction, and only occasionally attempting to assert more positive conceptions of economic, political and cultural sovereignty. Canada's 1969 Statement on Indian Policy, for example, took its cues from US termination policy in calling for the abolition of Indian status and treaty rights, privatization of reserve lands, and political and cultural integration. Indigenous peoples, for their part, engaged mostly in dialogue with national states and in isolation from each other. No transnational organizations existed to connect otherwise disparate struggles or help to forge common understandings of indigeneity, sovereignty, land rights, and culture, and to create legal resources for making rights claims. Human rights and anticolonial organizations simply ignored them. Latin American *indigenismo*, moreover, differed sharply from Indigenous mobilization in Scandinavia, the United States, Canada, and other British Commonwealth countries. Many Latin American states with large Indigenous populations followed the path of Mexican President Luis Echeverría, who sought to channel the energies of resurgent local movements into corporatist bodies under state control. When Echeverría held the First National Congress of Indigenous Peoples of Mexico in 1975, however, Indigenous delegates turned the tables. While not rejecting incorporation, they insisted it must take place on the basis of political self-determination and Indigenous sovereignty over land, water, and natural resources.[120]

Slowly, local and national Indigenous groups began forging transnational links and identifying themselves as part of broader regional or global movements for Indigenous rights.[121] Indigenous peoples had to create their own networks because socialist, human rights, and anticolonial organizations mostly ignored them. Amnesty International would not embrace Indigenous rights as human rights for decades. Its contemporaries had neither the legal framework nor the conceptual vocabulary to accommodate Indigenous self-determination claims, except as individual prisoners of conscience shorn of group identity.[122] Anticolonial organizations such as the British Movement for Colonial Freedom likewise ignored Indigenous peoples' concerns except as part of the broader category of minority rights. Like other marginalized peoples on the boundaries of international politics, Indigenous peoples sought solidarity and support from other small states, transnational NGOs, churches, and other institutions that provided links to the outside world and access to broader advocacy networks.

Within a remarkably short period of time a new generation of NGOs formed to focus on the rights of Indigenous, tribal, and "endangered"

peoples. These included Cultural Survival (formed in 1969), Minority Rights Group International (1969) the International Working Group for Indigenous Affairs (IWGIA) (1968), the Netherlands Center for Indigenous Peoples (1969), Survival International (1972), and the Gesellschaft für bedrohte Völker (1968), which began as Aktion Biafra-Hilfe, an emergency campaign to support Igbo self-determination during the Nigerian civil war. The Minority Rights Group initially focused on "minority" peoples like the Naga of India but later came to embrace Indigenous rights as a distinct category. Many groups focused on Latin America, where a wave of military coups in the 1960s brought to power military dictatorships that ruthlessly repressed and dispossessed Indigenous groups, often in the name of state-led development.

Anthropologists were deeply involved in the transnational mobilization on behalf of Indigenous peoples. The IWGIA was founded in August 1968 by European anthropologists following reports of atrocities committed against Indigenous peoples in Brazil, Venezuela, Colombia, Paraguay, and Peru. A bottom-up movement among mostly younger anthropologists, the IWGIA favored political engagement and action-oriented research on behalf of the ostensible subjects of anthropological study, a move bitterly opposed by giants of the fields such as Margaret Mead. Its first newsletter declared its intention "to use knowledge collected by social scientists to seek solutions to the problems arising from forced acculturation and integration in various countries throughout the world."[123] It lobbied European and North American parliamentarians to speak out on Indigenous issues, established research groups to investigate reports of atrocities, and petitioned to obtain consultative status at the UN. The IWGIA emerged amid resurgent activism among the Sami of Norway, who were beginning to organize themselves to demand acknowledgment of their cultural and land rights and to seek transnational ties with other Indigenous Arctic and polar peoples. Many Sami activists had studied in European universities and viewed their movement as connected to broader currents of Third Worldism and decolonization struggles.[124]

This was a global movement, as the proliferation of similar groups focused on Indigenous self-determination in other parts of the world demonstrates. After British journalist Norman Lewis published a lengthy account of the Brazilian government's dispossession and massacre of Indigenous Amazonians resisting seizure of their lands by mining and logging interests, a group of journalists, anthropologists, and activists formed

the regrettably named "Primitive Peoples Fund."[125] The group, which later changed its name to Survival International, sought to raise awareness of the situation faced by Indigenous and tribal peoples in Brazil, Colombia, and other Latin American countries, and to advocate for their right to self-determination in accordance with UN resolutions and the 1966 human rights covenants.[126] In 1975 Cultural Survival founded the Anthropological Resource Center to research the challenges posed by state-led development programs and extractive industries for Indigenous peoples in other parts of the world. IWGIA and other groups also began working to define the concept of indigeneity with the kind of legal and conceptual specificity it had previously lacked, and that would enable Indigenous peoples and supporters to make self-determination claims to the UN and other international organizations. Legally precise definitions made indigeneity not just an identity but potentially a resource, an epistemological shift with sweeping implications.[127]

Protestant denominations with a history of missionary work supported these efforts, just as they began advocating for Black self-determination in the United States and South Africa and for Indigenous self-determination in Australia.[128] In 1971 the WCC and the Ethnological Department of the University of Berne sponsored a symposium in Barbados on "Inter-Ethnic Conflict in South America," bringing together a dozen leading Latin American anthropologists to discuss the plight of Indigenous peoples. Participants called upon states, religious missions, and anthropologists to acknowledge their histories of racism, religious conversion, and dispossession and to work for the liberation and self-determination of Indigenous peoples. Religious denominations, the Barbados Declaration urged, should "stop the competition among religious groups and confessions for Indian souls." Anthropologists should help "to generate new concepts and explanatory categories" useful to Indigenous communities "for their own fight for freedom." The Barbados meeting arguably marks the birth of the transnational Indigenous movement in Latin America, though many Latin American advocates initially emphasized cultural autonomy rather than land and resource sovereignty as the basis of Indigenous self-determination.[129]

In Latin American countries where Catholic liberation theology was taking root, some Catholic leaders began to acknowledge the rights of Indigenous peoples to self-determination as part of a broader shift in support of human rights and against military rule. In 1972 the National Conference of Brazilian Bishops formed an Indigenist Missionary Council

to encourage Indigenous community organizing and two years later held its first Indigenous assembly. In 1975 hundreds of Brazilian bishops, priests, nuns, and laypeople closed out the third assembly of the Council with a striking call to action. The assembly declared its support "for the Indian's right to self-determination and preservation of their own culture" and called on the Brazilian interior minister and Indian Agency to defend Indigenous peoples from illegal land seizures. Catholic clergy and laypeople in Colombia, Ecuador, Guatemala, the Philippines, and other countries soon followed.[130]

Like their North American counterparts, some Indigenous movements in Oceana embraced the Black Power movement and its calls for Black pride, community control and cultural self-determination.[131] Aboriginal activists in Sydney, Australia, in the 1970s embraced the idea of "Aboriginal control" of community housing, legal, education, and medical services, drawing on Black Power thought and rejecting the assimilationist approach of the newly elected Labor government. A revived West Papuan independence movement likewise reconfigured Papuan identity as both Black and Indigenous, reaching from Dar es Salaam to Oceana, and claiming common cause with Aboriginal Australians, Maori, African Americans, and Indigenous peoples of Melanesia. Cultural Survival and Survival International in turn acknowledged Papuans' reassertion of Indigenous identity and folded the island's peoples into their ongoing campaigns.[132]

Nongovernmental organizations like Cultural Survival and the IWGIA connected Indigenous groups to global advocacy networks, but not to each other. In 1974 the AIM began to rectify this problem by forming the International Indian Treaty Council (IITC) at the suggestion of Jimmy Durham, an Indian activist who had spent the previous six years living in Paris and Geneva, where he engaged with Amilcar Cabral and other African nationalists and saw the similarities between African anticolonial movements and AIM. The following year George Manuel, head of Canada's National Indian Brotherhood, formed the World Council of Indigenous Peoples (WCIP), along with leaders from the NCAI and the Nordic Sami Council. Like Durham, Manuel had traveled abroad, meeting Maori and Aboriginal activists in New Zealand and Australia and drawing connections between their struggles and those of Canada's First Nations. Manuel's assistant Marie Smallface-Marule had worked in Zambia and visited Tanzania, where she came to view Julius Nyerere's vision of African socialism as a possible model for Canadian Indigenous peoples. Manuel's own visit to

Tanzania in 1972 convinced him "of the links between African anti-colonialism and Indigenous peoples' struggle" and the need to seek recognition of Indigenous people's rights from the UN, but as a "fourth world" distinct from decolonizing and developing states. In 1972 the National Indian Brotherhood officially petitioned for NGO status with the UN Economic and Social Council.[133]

Canada's Indigenous sovereignty movement arose alongside a revived French Canadian nationalist movement calling for self-determination for Quebec. This movement reflected long-running tensions between Canada's federal system, which accorded outsized political weight to English-speaking provinces in Canada's national legislature, and the economic, political, and cultural aspirations of the predominantly French-speaking province of Quebec. After provincial elections in 1960 brought the Liberal Party to power, Francophone nationalism in Quebec swelled, with some provincial parties advocating for greater political and cultural autonomy and others, such as the newly formed Rassemblement pour l'Indépendance Nationale (Rally for National Independence) calling for Quebec to secede from Canada. A 1963 royal commission warned of increasingly bitter regional divisions that threatened national unity and recommended the adoption of French as the national language alongside English and other measures aimed at appeasing those worried about the marginalization of French language and culture. That same year the armed Front de libération du Québec formed, drawing inspiration from the FLN in Algeria and the Cuban Revolution and over the next several years carrying out a series of increasingly brazen armed attacks. In 1968 journalist René Lévesque formed the Parti Québécois, which became the primary political vehicle for separatist sentiment in the province and mobilized around demands for a referendum on independence.

The emergence of a Quebec separatist movement and Indigenous peoples claiming the same right to self-determination as anticolonial and separatist movements in other parts of the world spurred anxious reflection among Canadian political and intellectual elites.[134] Were French-speaking Canadians in Quebec a people or a nation under international law? Could their demands for increased political autonomy be satisfied within Canada's federal system or by constitutional reforms? A Special Joint Committee of the House of Commons in 1972 answered no to the first question and yes to the second. Quebec was not Biafra. It had a right to liberal self-determination in the form of self-government, but not anticolonial self-determination in

the form of secession or the creation of a new state.[135] The Parti Québécois was not mollified and continued to agitate for a referendum, which it finally (and unsuccessfully) organized in 1980. Canada's First Peoples likewise continued to mobilize for federal acknowledgment of their right to greater political and cultural autonomy (Figure 6.5).

The UN had only recently begun to engage with the question of Indigenous rights. In 1968 the UN Commission on Human Rights first begin to address discrimination and racism against Indigenous peoples. Two years later the Sub-Commission on the Prevention of Discrimination and Protection of Minorities commissioned a study of discrimination against Indigenous peoples, directed by Jose Martinez Cobo of Ecuador. The study would take more than a decade to complete.[136] In the meantime the IITC and WCIP organized a series of international meetings to hammer out an agenda for Indigenous self-determination. In 1974 the IWGIA hosted the first international meeting of Indigenous peoples in Georgetown, Guyana, and the following year an International Conference of Indigenous Peoples in British Columbia.[137] In 1977 the IITC organized an International NGO Conference on Discrimination Against Indigenous Populations in the Americas in Geneva, attended by representatives from more than one hundred Indigenous groups, sixty NGOs from around the world, and forty UN member states. Attendees frankly acknowledged the ambition of their claims-making; the 1966 human rights covenants did not define self-determination, and "it is not certain whether or which indigenous groups would apply, and what is the extent of the right." Attendees there issued a "Draft Declaration of Principles for the Defense of the Indigenous Nations and Peoples of the Western Hemisphere" outlining a militant conception of Indigenous self-determination.[138] The IITC and WCIP differed on the aims of Indigenous activism. While the IITC remained wedded to the idea of Indigenous peoples establishing independent states, Manuel and the WCIP were "seeking alternative rights, which at times overlapped with the rights of states and in other ways superseded them." It was the WCIP vision, involving the restoration of Indigenous land rights, cultural sovereignty, control over natural resources, and political autonomy that would set the international agenda for Indigenous self-determination in the coming decade. For Indigenous activists, the distinction between land and territory was important, as the former embodied a whole series of cultural, ecological, and political relationships that the legal construct of territory did not.[139]

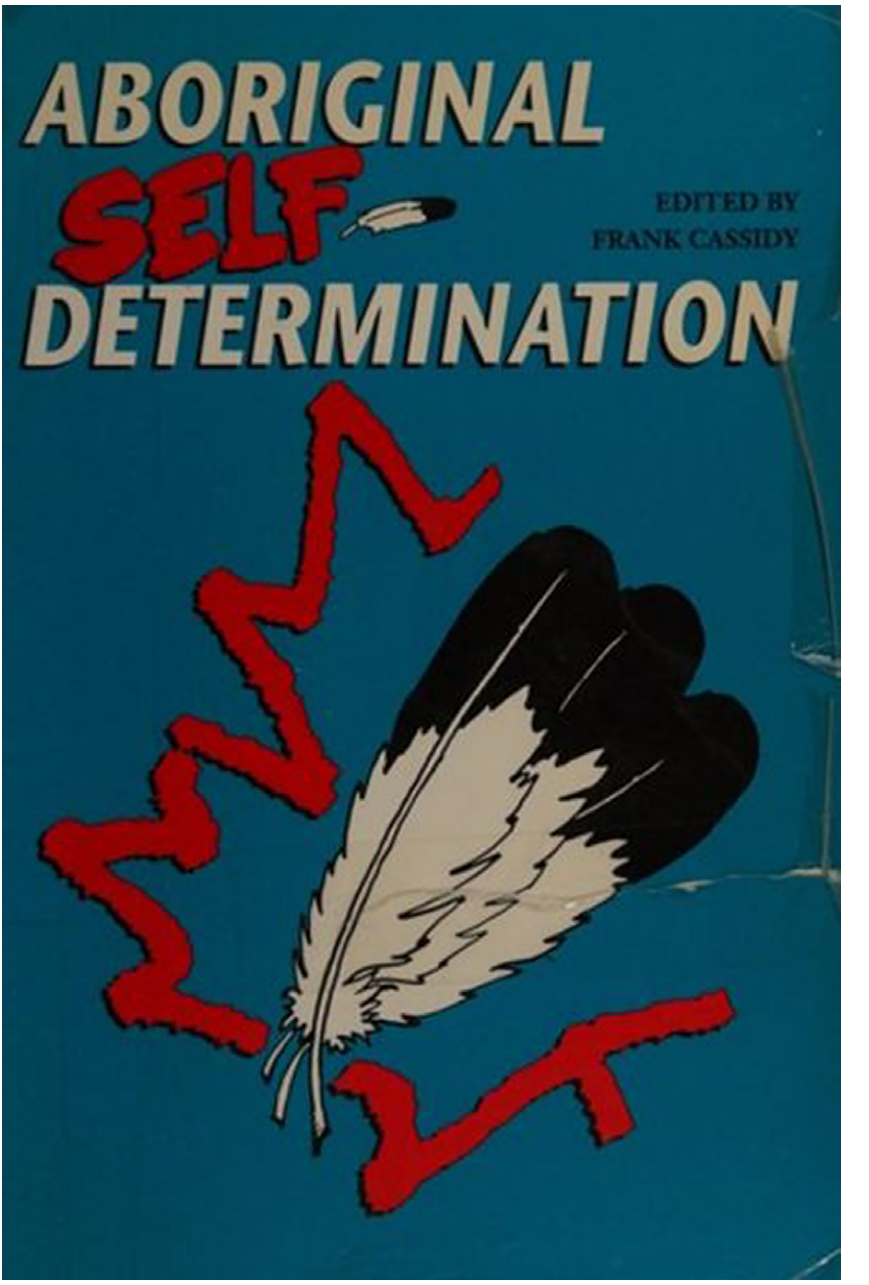

Figure 6.5 Cover of the report for *Aboriginal Self-Determination: Proceedings of a Conference Held September 30–October 3, 1990*. This was a collection of papers on self-government and self-determination for Native groups (First Nations) in Canada.

This expansive vision of Indigenous sovereignty not only challenged the state-based system of sovereignty and territory. It often conflicted directly with the priorities of developing countries where Indigenous people lived. Demands by developing countries for permanent sovereignty over natural resources, economic self-determination, and a new international economic order often meant dispossession of Indigenous people, the felling of their forests, the despoliation of their waters, and the violent extraction of raw materials from their lands. In 1979 a group of scholars and activists representing the WCIP, the NCAI, and other Indigenous groups warned of "the potential of a new international economic order becoming a blueprint for the total destruction of indigenous peoples." The scholars called for a UN Declaration on Aboriginal Title and Indigenous Self-Determination "which guarantees indigenous rights to exclusive territory and the right to pursue their own cultural, linguistic, social, educational, political, religious and economic development without interference."[140] Development could take place, but on Indigenous terms. Similar demands would continue to ripple through national and international politics for the next decade and a half, as the UN Working Group on Indigenous Populations debated a draft declaration on the rights of Indigenous peoples. The Sub-Commission on the Prevention of Discrimination and Protection of Minorities would approve a draft declaration in 1994, with General Assembly approval coming more than a decade later in 2007.

The domestication and vernacularization of self-determination claims in the United States and among Indigenous peoples around the world demonstrates that they ranged far beyond movements for decolonization. Self-determination did not exhaust itself as a political and economic project as the era of European colonialism drew to a close, its theorists and advocates retreating to a state centered nationalism and abandoning ambitious visions of postcolonial economic sovereignty.[141] Recognizing the postcolonial contours of self-determination, however, requires looking far beyond the confines of the UN and contemporary debates among international legal scholars. Many of the latter were only dimly aware, if at all, of the extraordinary range of peoples and movements deploying self-determination claims in the 1970s. Like the human rights movement more broadly, most international legal scholars simply ignored Indigenous peoples.

Domestic and Indigenous self-determination movements were deeply embedded in transnational networks of exchange and solidarity and are in fact impossible to understand outside of them.[142] Black Power activists in

the United States forged dense ties with colleagues across the Caribbean, Africa, and Oceana through study, travel, communication, organizing, and education. Indigenous activists and intellectuals likewise created transnational networks and organizations, collaborating with anthropologists, churches, parliamentarians, environmental organizations, and each other to overcome their exclusion from international organizations. Black Power, Indigenous, and other activists looked for inspiration and sought advice from armed struggle and liberation movements around the world. Transnational networks and organizations like the IITC, the WCIP, WCC, the IWGIA, and Cultural Survival, meanwhile, helped to create a connective infrastructure and common vocabulary for Indigenous sovereignty movements across the globe. These myriad local activists and movements appropriated and refashioned the meaning of self-determination from below, challenging the narrow visions of national governments, international institutions, and international legal thought. The discourse of self-determination by the 1970s had already escaped the bounds of decolonization and the UN human rights system, even as claimants would continue their efforts to institutionalize their rights there.

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7

Self-Determination in the Age of Globalization

Shortly before his assassination on March 24, 1980, Archbishop of San Salvador Oscar Romero wrote to US President Jimmy Carter to plead for an end to US military assistance to El Salvador's armed forces. Three months earlier a civilian-military junta had overthrown the right-wing government of General Carlos Humberto Romero, escalating a military reign of terror against left-wing political parties, unions, religious, and peasant organizations and plunging the country into civil war. The Carter administration, desperate to avoid a repeat of the Sandinista revolution in neighboring Nicaragua, threw its support behind the junta and dramatically increased military aid. Gesturing at the long history of US intervention in Central and Latin America and support for repressive regimes, Romero wrote that further US support for the Salvadoran military would "violate a right that the Latin American bishops, meeting at Puebla, recognized publicly when we spoke of 'the legitimate self-determination of our peoples, which allows them to organize according to their own spirit and the course of their history and to cooperate in a new international order'" (Figure 7.1).[1] A year earlier the Council of Latin American Bishops had met to discuss the direction of the church amid the region's spiraling political, economic, and human rights crises. The bishops in Puebla endorsed many of the tenets of Latin American liberation theology, denounced the national security doctrines of the region's armed forces establishments, and defended the rights of the regions' peoples to nonintervention by the United States and Soviet Union.[2]

The bishops in Puebla offered a theological vision growing out of Vatican II and the 1968 Medellín Conference, stressing the dignity of the poor and their right to full and equal participation in both the church and national life. Pope John Paul II shared this personalist conception of self-determination as well as more liberal framings of self-determination as republican self-government. The latter was emphasized by Western critics

EL PUEBLO SALVADOREÑO RECLAMA
SU DERECHO A LA AUTODETERMINACION
F D R
FMLN
COLECTIVO DE COMUNICACION VISUAL HUMBERTO MENDOZA EL SALVADOR C.A. 1981

Figure 7.1 Salvadoran solidarity activists in the early 1980s decrying US intervention in the affairs of Nicaragua and El Salvador and emphasizing its right to self-determination.
Source: International Institute for Social History, Amsterdam.

of the Soviet Union and allied Eastern European governments during the Cold War and especially after the 1975 Helsinki Accords.[3] The bishops also invoked an older Latin American understanding of the right of nonintervention in the political and economic affairs of states, vocalized most loudly by Cuba after its 1959 revolution and later enshrined in the 1970 UN Declaration on Principles of International Law. Each vision overlapped with but transcended the global movement for decolonization. Each would continue to flourish in years to come.

US intervention in El Salvador and Nicaragua and the 1979 Soviet invasion of Afghanistan vividly illuminate some of the ways that self-determination claims and movements were already moving beyond decolonization. Following the 1979 Sandinista revolution in Nicaragua, which overthrew the US-backed dictator Anastasio Somoza, the Carter and the Reagan administrations began working with civilian and armed movements seeking to oust the revolutionary government in Managua. The Sandinista government denounced US efforts to overthrow it as a violation of Nicaragua's right to choose its own government free from foreign interference. The Sandinistas were joined by the Socialist International, most members of the Non-Aligned Movement, the International Court of Justice, and even hostile governments in the region. Nicaragua solidarity groups around the world, and especially in Western Europe and North America, organized "anti-intervention committees" defending Nicaraguan self-determination (Figure 7.2).[4] In 1986 the International Court of Justice ruled that the Reagan administration's support for the Contras and mining of Managua harbor violated international law and Nicaragua's right to self-determination as outlined in the 1970 Friendly Relations Declaration.[5]

The Sandinista vision of self-determination drew on a long regional tradition of defending the sovereign equality of states and noninterference in their internal affairs, ideas that lay at the heart of the 1970 Friendly Relations Declaration. It collided, however, with the emerging consciousness of the Miskito and other Indigenous peoples of the Atlantic coast, many of whom had initially supported the Sandinista movement through the national Indian organization Misurasata (Miskito, Sumo, Rama, and Sandinista Unity), formed in 1979. The revolutionary Sandinista government's ambitious social development schemes, however, denied the category of Indigenous identity and sought "to transform the Miskitos into state-identifying Nicaraguan campesinos," provoking armed resistance among some Miskito groups. Their politics were eclectic; some Miskito leaders

Figure 7.2 A poster from US-Nicaragua solidarity activists for the first National Week of Solidarity with the people of Nicaragua, 1980.
Source: Archivos en uso.

identified with the views on Indigenous self-determination of the World Council of Indigenous Peoples and International Indian Treaty Council. Others sought advice from armed tribal movements in the Chittagong Hill Tracts of Bangladesh, Burma, Eritrea, Nagaland, and West Papua.[6] The Reagan administration cynically exploited these conflicts by recruiting Miskito to join the Contras and then pointed to the Sandinista's initially repressive response as a justification for its war against them.[7] Speaking at a fundraiser for the Nicaraguan Contras in 1985, Reagan noted that "there are those who say America's attempt to encourage freedom in Nicaragua interferes with the right of self-determination of the Nicaraguan people. Self-determination—you wonder what the ghosts of the Miskito Indians would say to that. . . . I think they would say that when a small Communist clique seizes a country, there is no self-determination and no chance of it."[8] As Reagan spoke, US Ambassador to the United Nations Vernon Walters was fighting efforts by the UN Working Group on Indigenous Populations to develop a draft covenant on the rights of Indigenous peoples.

Halfway around the world, the Soviet Union was employing a similar logic to justify its 1979 invasion of Afghanistan.[9] Afghanistan had long

played an important role in international debates about the meaning of self-determination, and Afghan diplomats were among the fiercest advocates of expansive understandings of self-determination as a human right, especially for ethnic minorities such as the Pashtun, who straddled the Afghanistan-Pakistan frontier. Though nominally independent and non-aligned for much of the Cold War, Afghanistan was treated by both the United States and the Soviet Union as a site for demonstrating their respective commitments to development and modernization.[10] The Moscow-backed Marxist People's Democratic Party of Afghanistan (PDPA), which had come to power in an April 1978 coup that it characterized as a continuation of the decolonization process, initiated a broad range of reforms alongside a brutal campaign against its opponents. Over the course of 1979 Prime Minister Hafizullah Amin and other PDPA leaders repeatedly "invited" Soviet intervention to bolster it against growing religious and regional rebellions against its rule. Soviet troops finally invaded on December 27, 1979, but did so to overthrow Amin and install a new government that Soviet officials thought stood a better chance of survival. The Soviets would stay for the next ten years.

The Soviet invasion of Afghanistan severed the connection in the minds of millions between "socialist self-determination" and the anticolonial solidarity that the USSR had cultivated since the Russian Revolution.[11] It also raised fundamental questions about the nature of self-determination and the peoples to whom the right applied. Who constituted the Afghan people, and who had the right to represent them? Rebel groups both inside and outside Afghanistan argued that the Soviet Union had illegitimately intervened in the country's internal affairs, preventing Afghanistan from freely determining its own form of government. Moreover, the Soviet war created millions of Afghan refugees, many of them displaced to neighboring Pakistan and Iran and deprived of political representation. Soviet officials and their allies framed the invasion of Afghanistan as a straightforward application of the Brezhnev doctrine, drawing parallels to the interventions in Hungary and Czechoslovakia. "It is this same policy," Bulgaria's representative to the UN argued at an emergency UN General Assembly session in January 1980, "that guided the Soviet Union in its decision to respond favourably to the appeal by the Government of the Democratic Republic of Afghanistan, in order to remove the threat to that country's sovereignty and right to self-determination." Cuba and other pro-Soviet members of the Non-Aligned Movement declared the invasion a model of socialist

internationalism in defense of a beleaguered ally while criticizing Washington's repeated violation of the right to noninterference in Chile, Vietnam, and other countries.[12] Cuba's position was unsurprising, given its commitment of tens of thousands of Cuban troops to Angola to defend it from South African attack and its advocacy of Tricontinentalism and its radical vision of anti-imperial self-determination.[13]

At the UN, however, the invasion provoked strong opposition not only from the US and European governments, but also from a majority of UN member states in the Global South and Non-Aligned Movement. Many of these same governments had remained mute following the invasion of Czechoslovakia a decade earlier. Members of the Islamic Conference, led by Pakistan, denounced the invasion as an attack on Islam in Afghanistan and called for an immediate Soviet withdrawal. Even Morocco and Indonesia joined in criticism, though both had recently invaded and annexed neighboring territories. Others voiced their sense of betrayal. "Few powers if any have identified so sympathetically with the aspirations of the peoples of Africa for liberation and self-determination as the Union of Soviet Socialist Republics," lamented Nigeria's UN ambassador. "No words… can therefore fully convey the deep sense of disappointment and disillusion which the Government and people of Nigeria felt when they heard the news of the Soviet armed intervention in Afghanistan." Though the Soviet Union was able to veto a Security Council resolution condemning the invasion, it could not stop the General Assembly or the Human Rights Commission from repeatedly calling on it to withdraw from Afghanistan for the next eight years.[14] Soviet isolation over its occupation of Afghanistan would deepen, its professions of socialist self-determination ringing increasingly hollow.

Winding Down Decolonization

Over the course of the 1980s the UN-sponsored process of decolonization wound down, with a few notable exceptions. Almost all of the territories emerging into statehood were islands in the Caribbean and South Pacific. Between 1979 and 1983 the British colonies of Antigua and Barbuda, Belize, Kiribati, Tuvalu, St. Lucia, and St. Vincent and the Grenadines all gained their independence, though they retained close ties to London.[15] The approximately 140,000 residents of the former French colony of New

Hebrides became the independent country of Vanuatu in 1980. French Polynesia, Wallis and Futuna, and New Caledonia continued to struggle for new sovereignty arrangements that would help them escape from the constitutional and legal straitjacket France had kept them in since 1958, when it removed the islands from the UN Decolonization list on the grounds that they had voted for the constitution of the Fifth Republic. New Caledonia alone witnessed a continued national liberation struggle, which took institutional form in 1984 when a coalition of parties formed the pro-independence Kanak and Socialist National Liberation Front and pressed for a referendum on independence from France.[16] Others island territories voted to continue their associated status with colonial metropoles. In 1982 Guam held a plebiscite in which voters chose commonwealth status with the US over independence, though fewer than 40 percent of voters participated and Chamorro leaders reported widespread confusion over the stakes of the vote, who was eligible to participate, and the degree of choice on an island dominated by a US military base.[17] The Federated States of Micronesia, Republic of the Marshall Islands, and Palau all signed new compacts of association with the United States, giving the territories and their citizens, like Guam, access to federal assistance and social and educational services on the mainland in exchange for the continued presence of US military installations. The plebiscites on the compact agreements held the following year took place "in the shadow of the Pentagon," as the Micronesia Support Committee put it, and authorized the United States to continue storing nuclear, chemical, and biological weapons and radioactive waste on the islands.[18] The residents of the tiny Australian-controlled Cocos Islands in 1984 voted for associated status with Canberra and permanent semi-sovereignty, a recognition that independent statehood was an inadequate framework for their political horizons. None of the votes on the future status of these tiny territories spoke to their histories—or futures—of economic exploitation, imposed racial and social inequality, or militarization. All raised questions in the minds of even empathetic critics about the viability of microstates and tiny territories. They spoke to the profound limits of the UN-sponsored process of decolonization for capturing the political and cultural imaginings of small places that would continue to enjoy a "layered and divisible, but also perennially indeterminate sovereignty" in a world dominated by large states.[19]

The association of self-determination with decolonization and state-making may have been fading, but the scope and breadth of claims made in

its name continued to expand. Self-determination did not fall. Instead, it evolved, and claims and movements made in its name continued to proliferate. Indigenous peoples continued pressing for UN recognition of their sovereignty claims; regional autonomy and secessionist movements in the Global North accelerated; US and Soviet interventions in Central America and Central Asia flaunted norms of noninterference; and East European dissidents invoked the Helsinki Final Act to call for free elections. The UN acknowledged the changing nature of self-determination in 1981, when Aureliu Cristescu, special rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, reviewed its evolving status in international law. A decade in preparation, the report noted the dynamic and expanding nature of self-determination claims in international politics, especially in the realm of economic development. Since 1950 the UN General Assembly and various subcommittees had passed more than two hundred resolutions affirming self-determination as a human right, attempting to define its scope and meaning, and declaring its application to a wide range of anticolonial movements and the tactics they used. By 1981, he observed, self-determination had become "an established principle, a universally recognized right . . . and a legally binding principle enjoying universality and constituting a general rule of international law." The report was strikingly nation-state-centric, defining the nation as the "necessary and compulsory stage in the evolution of every people," and the independent sovereign state as the primary expression of the right to self-determination, even as it acknowledged the increasing prominence of its broader cultural, social, and economic dimensions. Curiously, the report did not mention the growing transnational Indigenous self-determination movement, or the subcommission's own consideration of demands for a covenant on Indigenous rights.[20]

Self-Determination and the Struggle Against Apartheid

Throughout the decade the General Assembly continued to pass annual resolutions on the importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries. It also continued to invoke the right to self-determination of Palestine, East Timor, and Western Sahara, as did their varied international supporters in solidarity movements, the Non-Aligned

Movement, and other international forums.[21] Some of the most important UN efforts during the decade, however, focused on the continuing global struggle against apartheid in South Africa and its intervention in Namibia and Angola, which denied self-determination to its citizens as well as its neighbors.[22] Since the establishment of apartheid in South Africa in 1948 the UN had played a central role in mobilizing international condemnation of Pretoria, establishing a Special Committee Against Apartheid in 1962 and passing countless resolutions condemning apartheid, endorsing boycotts and sanctions, and legitimizing popular and armed resistance by the African National Congress and its supporters. In 1976 the UN established a Center Against Apartheid, and the following year the International Committee Against Apartheid, Racism, and Colonialism in Southern Africa. The committee held a succession of international conferences from Havana to Lagos to coordinate the efforts of African states, liberation movement, ANC representatives, parliamentarians from around the world, and hundreds of NGOs pledged to working for self-determination for South Africa and Namibia.[23]

During the 1980s the global antiapartheid movement, the Indigenous sovereignty movement, and the Helsinki Watch movement served as important vehicles for the circulation and vernacularization of self-determination claims and ideas. For most Non-Aligned Movement states and Soviet bloc members such as East Germany, supporting self-determination in southern Africa meant support for the armed movements fighting against Pretoria.[24] For antiapartheid organizations in Western countries, the demand for self-determination for Black South Africans embodied liberal understandings of popular self-government and procedural democracy. Churches, labor unions, civil, and human rights organizations embraced the nonviolent dimensions of struggle as consistent with these liberal sensibilities, passing resolutions, lobbying elected officials, and endorsing boycotts and divestment. In towns and cities across Britain, Western Europe, and North America, in union halls and church sanctuaries, local antiapartheid groups organized and engaged in popular education, framing their goals as support for self-determination and multiracial democracy in South Africa.[25] Readers of Britain's *Anti-Apartheid News*, for example, learned of the ANC's pledge in November 1980 to adhere to Protocol 1 of the Geneva Conventions on the humanitarian conduct of war, announcing that "in the conduct of the struggle against Apartheid and racism and for self-determination for South Africa, it intends to respect and be guided by the general principles of

humanitarian law applicable in armed conflicts." Attendees at a "Conference in Solidarity with the Liberation Struggles of the Peoples of Southern Africa" held at Riverside Church in New York City in October 1981 listened as Harold Rogers, a Black union activist from Chicago, described the resolutions unions had passed calling on the US government to support self-determination for South Africa and Namibia.[26]

The Indigenous International

Indigenous movements around the world, meanwhile, continued to mobilize locally and transnationally, and to press the UN to begin acknowledging that the right to self-determination enumerated in countless UN resolutions and declarations for colonized people applied to them as well. Many continued to advance a more militant understanding of Indigenous identity that rejected state-sponsored projects of integration and assimilation in postcolonial and Latin American states. Attendees of the Eighth Interamerican Indigenist Congress held in Mexico in 1980, and of the first Congress of Indian Movements held that same year in Peru, called for a new vision of indigenism that "champions the self-determination, the self-sufficiency and the social, economic and political self-management of our peoples" and that challenged "the extension and modernization of capitalism and the universalization of the development model of society."[27] A year later the UN Sub-Commission on the Prevention of Discrimination and Protection of Minorities organized a conference in Geneva on "Indigenous People and the Land," which brought together Indigenous representatives from across the Americas, Australia, and Scandinavia, dozens of international NGOs, and national liberation movements such as the PLO, ANC, FMLN, and SWAPO. The conference's final declaration likewise rejected state-sponsored programs of integration that threatened Indigenous identity. It framed Indigenous peoples' self-determination in territorial terms as "the right to determine the development and use of their land and resources," as well as the right to cultural, religious, and linguistic autonomy. The declaration drew heavily on a landmark study by Special Rapporteur José R. Martínez Cobo, which sought to define indigeneity with the sort of precision that could guide future efforts to codify Indigenous rights at a global level.[28] A UNESCO meeting a few months later in San José, Costa Rica, built upon these demands by appealing to UN member states to

embrace Indigenous self-determination, or what the San José meeting called "ethno-development," as "an inalienable right of Indian groups," and calling on states to take concrete steps to facilitate increasing Indian self-management of their own affairs.[29]

The swelling transnational Indigenous sovereignty movement achieved an important goal with the formation in 1982 of the UN Working Group on Indigenous Populations (WGIP), which the International Conference on Indigenous Peoples of the Americas had called for five years earlier. Members included a dozen UN member states with self-declared Indigenous peoples, the International Labour Organization, UNICEF, the UN High Commissioner for Refugees, the International Indian Treaty Council, World Council of Indigenous Peoples, and a wide range of international organizations, including Survival International, the British Anti-Slavery Society, and the Afro-Asian Peoples Solidarity Organization. At its first meeting, working group participants sketched an ambitious vision for overcoming the weaknesses of the UN human rights system for protecting Indigenous rights and emphasized a vision of Indigenous self-determination centered on land sovereignty and the protection of language, culture, and Indigenous ways of life. The working group established an Indigenous Populations Documentation Research and Information Centre for gathering information regarding state policies toward Indigenous peoples, and a UN framework for beginning discussion of a possible draft declaration on the rights of Indigenous peoples. It also published the results of the Sub-Commission on the Prevention of Discrimination and Protection of Minorities' decade-long "Study of the Problem of Discrimination against Indigenous Populations." The Cobo study, as it was later called, set the agenda for international action for the next decade, as the working group began the slow and contentious process of building consensus around a draft declaration on Indigenous self-determination.[30] The Cobo study also provided an international language that Indigenous sovereignty movements in Latin America, North America, Australia, New Zealand, and Europe could use as a resource in local struggles for land and cultural rights.[31]

The International Labour Organization acknowledged the tectonic shift in Indigenous sovereignty organizing when it revised its 1957 Convention on Indigenous rights (Convention 107) to abandon the assimilationist commitments of its predecessor and embrace the broad vision of self-determination being advanced by Indigenous groups around the world.[32] By the end of the decade, representatives of an astonishingly broad

Indigenous peoples movement and the NGOs supporting them were observing the Working Group on Indigenous Peoples as it debated a draft Universal Declaration of the Rights of Indigenous Peoples. The first draft, prepared in 1990, advanced what the working group called a "nonstatist" conception of Indigenous self-determination emphasizing land rights and the preservation of culture, language, and Indigenous ways of life. It marked a startling evolution in both legal and vernacular understandings of self-determination away from a nation-state-focused, territorialized vision of sovereignty growing out of the 1960 Declaration on Colonialism and the 1970 Friendly Relations Declaration. Perhaps as important, recalled Erica-Irene Daes, the founding chairperson and special rapporteur of the WGIP, "No other United Nations human rights instrument was prepared with so much direct involvement and active and constructive participation of its intended beneficiaries."[33]

Self-determination was decolonizing, from the bottom up, and advocates of wider conceptions of human rights were making broader claims in its name. In December 1986 the UN General Assembly passed a Declaration on the Right to Development, Article I of which declared that "the human right to development also implies the full realization of the right of peoples to self-determination."[34] The declaration built on two decades of work in the Commission on Human Rights, UNESCO, the UN Economic and Social Council, and regional bodies like the Economic Commission on Latin America to codify the content of the Covenant on Economic, Cultural, and Social Rights, efforts closely connected to demands for a new international economic order and the Charter on the Economic Rights and Duties of States.[35] Self-determination and development existed in a dialectical relationship with each other, China's UN ambassador, Gu Yijie, told the UN Human Rights Commission in 1984. "The right to development was also a natural extension of the right to self-determination, itself an essential precondition of the right to development," she explained. "Without economic development, a country's political independence could not be consolidated; similarly, a country and its people could not enjoy any right to economic, social and cultural development if the country was deprived of its right to self-determination."[36]

Women's rights organizations and feminist legal and political scholars, meanwhile, connected debates about the relation between self-determination and development to the gendered nature of self-determination itself, which excluded women as "peoples" with group rights similar to ethnic or religious

minorities. As many participants at the first UN World Conference on Women in Mexico City in 1975 had argued, self-determination needed to be understood both in terms of collective emancipation from colonial rule and in terms of women's needs for bodily autonomy and participation in politics and development.[37] Some scholars called for a gendering of self-determination theory and law, observing that "the oppression of women within groups claiming the right of self-determination has never been considered relevant to the validity of their claim or to the form self-determination should take."[38] Others insisted that women's access to family planning and reproductive rights more generally should be considered as part of their individual and collective right to self-determination.[39] Feminist critics of contemporary development theory and practice, which gendered development as male and often excluded women's unpaid labor from calculations of national income, linked women's right to food and sustenance "as an essential element of a reshaped concept of self-determination." Indigenous women's activists observing the UN Working Group on Indigenous Peoples likewise criticized early versions of its draft declaration for failing to "include any gender specific language with regard to violence against Indigenous women."[40]

These efforts to expand the meaning of postcolonial self-determination fueled fears of a discourse in crisis, appropriated for purposes and by peoples for whom it was never intended to apply. Douglas Feith, deputy secretary of defense in the Reagan administration, looked to the Israeli-occupied territories and Southern Africa and denounced "terrorist organizations that fly the banner or self-determination" with the endorsement of the UN and international law.[41] Indigenous peoples, the inhabitants of tiny or sparsely populated territories, women, international terrorists, and others on the margins of international society were making self-determination claims that seemed to challenge the very foundations of the territorially based international order constructed at San Francisco in 1945.

Self-Determination and the End of the Cold War

As Indigenous peoples pressed the UN for recognition of their sovereignty rights, Eastern European dissidents and their Western supporters continued to challenge the Soviet doctrine of "socialist self-determination." Across Europe and North America Helsinki Watch committees monitored the

status of human rights in the Soviet Union and Eastern Europe, pressed governments to demand Soviet compliance with the Helsinki Final Act, and called for self-determination for the Baltic states and the socialist republics of the Eastern bloc.[42] As they lobbied officials, conducted research, publicized their findings, passed resolutions, and engaged in acts of creative protest, Eastern European dissident and Helsinki Watch groups popularized self-determination as a grassroots language of solidarity. To cite one of innumerable examples, in 1985 Latvian, Lithuanian, and Estonian exiles from around the world gathered in Copenhagen under the auspices of the Baltic World Congress to hold a mock Tribunal Against the Soviet Union for its violations of human rights and international law, including the Helsinki Final Act. Afterward, student activists boarded a "Baltic Peace and Freedom Cruise" and sailed into international waters off the Baltic coast, where they passed resolutions endorsing the Helsinki Final Act and affirming the right of the Baltic peoples to self-determination in the form of free elections to determine their political status.[43] At the UN and in other international forums, Western diplomats and legal scholars insisted with increasing frequency that meaningful self-determination was an ongoing process that required democratic self-government and respect for individual human rights. They were joined by leaders of other regional organizations like the Organization of African Unity, which in June 1981 proclaimed the African Charter on Human and Peoples' Rights, acknowledging that the right to self-determination had both collective and procedural dimensions.[44]

Through the mid-1980s, Soviet and Eastern bloc officials clung to their belief in "socialist self-determination" and human rights as a countervailing vision to the Helsinki movement, even as economic stagnation eroded their legitimacy. In late 1985 East German Ideology Minister Kurt Hager proposed that the socialist states develop their own "Socialist Declaration of Human Rights," rooted in long-standing commitments to anticolonialism and social and economic rights. Two years later Warsaw Pact foreign ministers discussed a draft declaration, echoing the 1960 Declaration Against Colonialism and the 1966 human rights covenants, which stated that the "peoples of the socialist states realize their right to self-determination through which they determine, free from exploitation and oppression, their economic, social and cultural development." Discussion broke down, however, over an inability to agree on a common understanding of the role of human rights in the socialist project. The declaration, in the end, was not a

new vision but rather the last gasp of a dying one, which "confirmed the exhaustion of socialist, revolutionary internationalism."[45]

The principles of the Helsinki Final Act were winning the day, it seemed, and animating a revolution in Soviet thinking. "No one can impose anything on anyone," Mikhail Gorbachev told Yugoslav leader Lazar Mojsov in 1988. "The world is different now, each state strives to determine its fate independently, and we must take that into account." That February Gorbachev began the final withdrawal of Soviet troops from Afghanistan, putting the final nail in the coffin of the Brezhnev Doctrine. The principles of Helsinki were also shaping the imaginations of millions of ordinary citizens as they fled across the East German border, organized demonstrations across Eastern Europe, and demanded self-government. Many did so animated by liberal principles cheered by Western and US elites. But other East European dissidents and national movements within the USSR articulated an antiliberal, anti-imperialist vision "much less internationalist and focused on an anti-Communist struggle of the nation against Soviet 'colonial domination.'" In the Nagorno-Karabach enclave of Azerbaijan, seventy-five thousand ethnic Karabach Armenians petitioned in August 1987 for integration with neighboring Armenia.[46] As the promise of development under socialism faded, nationalism was re-emerging as a potent source of political legitimacy. "Socialist self-determination" was disintegrating. But what would replace it?

For nearly four decades, Soviet leaders had responded to demands for the reform of state socialism with violence. In the late 1980s they seemingly embraced the principles of self-determination and noninterference. As revolutionary calls for an end to the Soviet occupation of Eastern Europe and the Baltic states accelerated in 1989, Soviet officials announced that they would not use force to prop up the tottering regimes of the Eastern bloc. With the opening of the Berlin Wall in November 1989 the die seemed irrevocably cast in favor of the consolidation of liberal visions of self-determination, at least in Europe. On November 16 a special session of the European Parliament passed a resolution endorsing self-determination for citizens of the German Democratic Republic and possible German reunification. West German Chancellor Helmut Kohl immediately called for reunification of the two Germanys on the basis of self-determination and the holding of general elections. West German leaders had been demanding this since the founding of the Federal Republic in 1949, when it was written into the country's Basic Law. Throughout the German Democratic Republic's existence,

Bonn and East Berlin each claimed to embody the true meaning of self-determination, the former through the holding of free elections, and the latter by ascending to the socialist phase of history and supporting national liberation struggles in the decolonizing world. West Germany's vision won out.[47]

This was a crucial moment in the global history of self-determination, but one fraught with potential danger. While most Western observers cheered the restoration of popular self-government in Eastern Europe, they blanched when Lithuania's new parliament declared independence in March 1990, a vote vehemently rejected by Moscow.[48] Many European officials had not wrestled with the deeper implications of free elections in federated, multiethnic states like Yugoslavia, where revanchist nationalisms were already gathering momentum. They had also not fully thought through the possible disintegration of the Soviet Union or even the restoration of independence to the Baltic states. As members of the European Parliament began laying the foundations for the European Union, they warned against premature support for Baltic independence before its meaning for European stability could be fully digested. International lawyers grasped for analogies. Should Baltic independence be likened to decolonization, to the restoration of sovereignty called for in the Atlantic Charter, to Cold War secession crises, or to the rumblings of 1930s ethno-nationalism?[49] What about the possible collapse of Yugoslavia or the USSR itself? Former US Ambassador to the UN Donald McHenry harkened back to the end of World War I and warned of the emergence in Europe of "small, nationalist states, reviving old conflicts." All agreed on the need for limits, lest Baltic self-determination lead to cascading demands elsewhere and a reassertion of national and ethnic identities.[50]

These limits were political as well as economic. Speaking before NATO leaders in Brussels in December 1989, President George H. W. Bush called for "a new Europe and a new Atlanticism where self-determination and individual freedom everywhere replace coercion and tyranny, where economic liberty everywhere replaces economic controls and stagnation." Visiting Ukraine shortly before its December 1991 referendum on independence, Bush again called for free elections and free markets but warned against economic nationalism and the re-emergence of a "suicidal nationalism based upon ethnic hatred."[51] Moscow gave similar warnings. When members of the Organization for Security and Cooperation in Europe met in November 1990 to debate a post–Cold War Charter of Paris for a New

Europe, they affirmed the "equal rights of peoples and their right to self-determination." Soviet officials, wary of events in the Baltics and the nationalist rumblings from the Soviet republics, warned that looming territorial changes and independence votes could have "destructive snowball effects that would throw Europe back into the kind of situation which it knows only too well from its own history."[52] Several of the Soviet successor states would soon face violent self-determination movements of their own. In January 1990 more than 90 percent of the residents of the Moldovan region of Transnistria, whose populations were almost equally split between ethnic Russians, Moldovans, and Ukrainians, voted in favor of autonomy or independence. Five months later separatists announced the creation of a "Pridnestrovian Moldavian Republic" (PMR), and on August 25, 1991, as tanks rolled in Moscow amid an attempted coup against Mikhail Gorbachev, the PMR declared independence from Moldova, sparking a brief but bloody war. Within days of Azerbaijan's August 30, 1991, declaration of independence, the Armenian Supreme Court and National Council of Nagorno-Karabakh declared the region's unification with Armenia, sparking a decades-long conflict between Armenia and Azerbaijan. A similar secessionist conflict broke out in September 1990 when South Ossetia declared its sovereignty and later independence from Georgia, prompting bitter fighting between Georgian and South Ossetian troops and militias until Moscow brokered a settlement in June 1992.[53]

Yugoslavia, meanwhile, was beginning to unravel at dizzying speed. Civil war emerged out of contradictory conceptions of self-determination embedded in Yugoslavia's successive post-1945 constitutions, one vested in Yugoslavia's constituent republics and the other in its nations (Croat, Serb, Slovene, Macedonian, Montenegrin, and Muslim). The country's 1974 constitution handed more power than in previous years to the republics of Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, Serbia, and Slovenia, sharpening local identities. Economic stagnation in the 1980s, meanwhile, fed demands for even greater autonomy in the republics and fueled rising nationalism among politicians who defined identity in terms of ethnicity and imagined national pasts. In response to these rising tensions Yugoslavian leaders in 1987 proposed constitutional reforms that attempted to bridge the gap between more and less centralized visions of the state. The ensuing debate posed different answers to the question of who had the right to self-determination in Yugoslavia, the nation or the republic. The six recognized nations lived scattered among the various

republics; nearly a quarter of Yugoslavia's 8 million Serbs lived in Bosnia (1.4 million) and Croatia (580,000) alone. The Serbian Writers Association insisted that Yugoslavia's future and "the use of the right to national self-determination including secession" should be decided by national referendum to "prevent the 'majoritisation' of any one nation." Slovenian critics countered that the Slovenian Republic had the "historical right to self-determination, including the right to participation in a union of states or the secession from such a union of states." Croatian nationalists, led by Franjo Tudjman, offered similar views, citing the historic domination of Yugoslavia by Serbia and the Leninist position on the legitimacy of secession from oppressive states.[54]

As with other Eastern bloc regimes and the Soviet Union itself, Yugoslavia's collapse flowed from parliamentary elections and referenda on independence. In April 1990 Croatian parliamentary elections produced a new majority that favored independence, a commitment enshrined in the republic's new constitution. It cited the "millennial national identity of the Croatian nation" and the "inalienable, indivisible, nontransferable and perpetual right of the Croatian nation to self-determination and state sovereignty."[55] Slovenia, Bosnia and Herzegovina, and Macedonia weren't far behind. On December 23, nearly 90 percent of Slovenians voted in favor of separating from Yugoslavia. Five months later Croatians voted in similar numbers, and on June 25 both declared their independence, followed by Macedonia (September 25) and Bosnia Herzegovina (March, 1992). By this point war raged across Croatia and Bosnia. All sides cited the right to self-determination to justify their actions, as did the Serbian minorities who declared themselves and the territories where they resided as remaining a part of Yugoslavia.[56] US and European states' recognition of the independence of the four former Yugoslav republics appeared to mark a decisive reversal of the international community's willingness during the era of decolonization to legitimize secessionist self-determination movements. As Yugoslavia imploded into civil war, the Latvian and Estonian parliaments likewise declared independence. The disintegration of the USSR was underway. On December 1 Ukrainians voted overwhelmingly for independence. The remaining Soviet republics (organized as the Russian Soviet Federative Socialist Republic), Ukraine, and Byelorussia announced the legal death of the USSR and its replacement by the Commonwealth of Independent States.

The collapse of East European communism, dissolution of the Soviet Union, and collapse of Yugoslavia appeared to be part of a global wave of

minority and secessionist movements. In October 1990 a devastating civil war erupted in Rwanda over the long-simmering political divisions between the dominant Hutu and minority Tutsi ethnic groups over political representation in the former German colony. Following their 1980 defeat in a referendum on independence, Quebec nationalists were also gathering strength. They would return to provincial power in 1994 and demand another independence vote. Belgium's right-wing Flemish bloc dramatically gained support in the country's 1991 elections and joined the governing coalition on a platform advocating a separate Flemish state and the deportation of immigrants.[57] In Italy, a coalition of right-wing parties led by Umberto Bossi in 1989 founded the Northern League, which advocated for regional economic and cultural autonomy.[58] Spain's government continued to face separatist movements in both Catalonia and the Basque region, where the armed separatist Euskadi Ta Askatasuna movement carried out terror attacks in the name of self-determination.[59] In May 1991 forces of the Eritrean Peoples Liberation Front captured the Eritrean capital of Asmara after decades of bloody war with Ethiopia. Two years later Eritrea held a referendum that overwhelmingly endorsed independence, which it declared a month later.[60] And on January 1, 1994, the Zapatista Army of National Liberation (EZLN) launched an armed uprising against the Mexican government in the southern state of Chiapas, outlining a radical program of Indigenous self-determination and local autonomy.[61]

Reimagining Post–Cold War Self-Determination

Far from fading away, self-determination claims and movements seemed to be proliferating, as was the violence that sometimes accompanied them. An "overwhelmingly negative consensus" was emerging that self-determination had "outlived its usefulness and has begun to undermine the potential for peace in many parts of the world."[62] For American critics, the period recalled the aftermath of World War I. Historian Ronald Steel denounced self-determination in the 1990s as "atavistic, reactionary, and prone to violence," "an uncivilized and, in a profound sense, an un-American doctrine" that if left unchecked would lead "to the atomization of human societies." Israeli-born communitarian Amitai Etzioni fumed that self-determination in the wake of the Cold War had become a "destructive" idea that had "exhausted [its] legitimacy as a means to create more strongly democratic

states." "People have been slaughtering each other over the proper application of national self-determination in Ethiopia, Afghanistan, Bosnia, Iraq, Sri Lanka, Azerbaijan, Vietnam, and many other parts of the world," sociologist Charles Tilly lamented. Where would it stop? And who would enforce limits on the claims being made in its name?[63]

Contemporary observers understood that the spread of self-determination claims and movements was deeply connected to globalization, as was the fraying of postcolonial territorial settlements in Africa and the Middle East, disintegration of the Soviet Union, and the emergence of new states in Eastern and Southern Europe. This recognition prompted efforts to reimagine self-determination's scope and meaning for the fourth time in the twentieth century.[64] "The time has surely come," historian Arthur Schlesinger reflected, "to reconsider the doctrine of self-determination and to incorporate the limitations that Wilson himself acknowledged and that the experience of the US confirms." If the breakup of the Soviet Union, European integration, emerging globalization, and international migration were "altering the character of states and of international relations," Tilly observed, "the conditions for viable self-determination must be shifting as well."[65] The Carnegie Endowment for International Peace agreed. In 1992 it identified nearly one hundred active self-determination claims and movements, more than a third of them in Europe and North America. That year, it established a "Project on Self-Determination," calling on the UN, European Union, and other interstate organizations to develop new guidelines for evaluating the legitimacy of self-determination movements, institutionalizing adjudication procedures, and encouraging democratic mechanisms short of succession for addressing legitimate claims. The effort recalled the work of the UN Committee on Factors, established forty years earlier to develop guidelines for determining whether colonial territories were prepared for self-government. The Carnegie authors defined self-determination in classically American terms: political sovereignty and a "market-oriented economy" marked the threshold for legitimate claim-making. Self-determination meant the right to vote, to consume, and to import and export, but not to wrench economic or cultural sovereignty from the world market or the world of states.[66] Members of the Stockholm Commission on Global Governance, created by former West German Chancellor Willy Brandt in 1991 and chaired by former Swedish Prime Minister Ingvar Carlsson and former Guyanese Foreign Minister Shridath Ramphal, likewise viewed the sovereignty eroding force of globalizing

trade, finance, and capital as a spur for rethinking self-determination. "In an increasingly interdependent world, the notions of territoriality, independence, and non-intervention have lost some of their meaning," its final report declared. "It is time also to think about self-determination in the emerging context of a global neighbourhood rather than the traditional context of a world of separate states."[67]

Just as they had during the era of decolonization, Western elites called for a reconsideration of self-determination's necessary limits. For many self-determination movements and their advocates, however, especially subnational or Indigenous peoples in postcolonial states or the Soviet Union, decolonization had always served as an inadequate framework for their sovereignty claims, and the limits themselves were the problem. These advocates included Erkin Alptekin, a German-born Uyghur activist and former Radio Free Europe producer involved in a range of organizations calling for the independence of East Turkistan (now better known as Xinjiang province in China), Estonian politician and historian Linnart Mäll, and Michael van Walt, a legal adviser to the Tibetan Central Administration. In February 1991 they formed the Unrepresented Nations and Peoples Organization (UNPO) as a forum for marginalized movements to advocate for their cause and for more expansive international legal understandings of self-determination, as well as to promote international procedures for resolving self-determination conflicts. Over the following year UNPO sent election- or referendum-monitoring teams to Iraqi Kurdistan; Tatarstan, Kosovo; and Abkhazia, Georgia, convening conferences with UN officials and international jurists to discuss the need for more robust mechanisms for preventing states from using force against self-determination movements.[68]

At UNPO's Second General Assembly more than thirty member-movements and organizations representing the World Council of Indigenous Peoples, West Papua, Aceh, the Chittagong Hill Tracts, Western Sahara, Kurdistan, East Turkmenistan, Tibet, and Burma, among others, expressed their frustration with a UN system that still framed self-determination in terms of decolonization and state-making. Though some, such as Hasan di Tiro of the Gerakan Aceh Merdeka (Free Aceh Movement), were still seeking secessionist independence or to complete the decolonization process, many sought substate forms of political and cultural sovereignty.[69] Two years later UNPO held its first major international conference at The Hague. Criticizing the international community for not yet coming to grips "with

the need to re-examine the concept and content of self-determination," delegates called for a new political and legal framework to meet the challenges facing occupied, Indigenous, stateless, and minority peoples after the Cold War and in the age of globalization. Participants at the meeting, co-chaired by Ogoni environmental activist Ken Saro-Wiwa, placed Indigenous resource sovereignty, environmental protection, the rights of women, and forced population transfers at the center of their more expansive, postcolonial vision of self-determination. They rejected the developmentalist and extractive assumptions of the UN Declaration on Permanent Sovereignty of Natural Resources, noting that resource extraction by even democratic states could still "threaten the traditional life of indigenous peoples or affect their nature-based economy." They also questioned the adequacy of Western framings of postcolonial self-determination as electoral democracy, arguing that these were insufficient for realizing the needs of minority and other "distinct peoples" for political and cultural autonomy and other forms of self-rule.[70] The UNPO framing contrasted sharply with the Socialist International, the Non-Aligned Movement, and other organizations that still focused on lingering colonial-era struggles at a time when almost all remaining non-self-governing territories were Pacific or Caribbean islands. At its tenth conference in Jakarta in September 1992, Non-Aligned Movement member states restated their support for "the right to self-determination of peoples under alien or colonial domination or foreign occupation," especially in Palestine, and emphasized that "the struggle of peoples under colonial or alien domination and foreign occupation for self-determination did not constitute terrorism."[71] Leading human rights groups such as Amnesty International and Human Rights Watch had little to say, continuing their long refusal to acknowledge self-determination as a collective human right that should shape their global advocacy.

Recognition that UN agencies and committees were inadequate to address contemporary self-determination claims and movements produced calls for reform. In 1992 Prince Hans Adam II of Liechtenstein proposed that the UN draft a formal convention on self-determination. In many ways the Liechtenstein proposal merely restated the 1970 Declaration on Friendly Relations, updated for the postcolonial, post–Cold War era, and with less emphasis on territorial sovereignty and independence. Self-determination, the proposal stated, was "not necessarily, or even primarily, a matter of independence," but rather a matter of maximizing the ongoing autonomy of "communities which possess a distinctive social and territorial identity."[72]

The formulation reflected the increasing focus, especially in Europe, on nonterritorial conceptions of democratic self-government, the protection of human and minority rights, and the resolution of substate conflicts. As a leader of one of the most recent and smallest nations to join the UN, Prince Hans also hoped to rebut critics who warned of a proliferation of "micronationalisms" making novel sovereignty and rights claims. "The world is slowly moving away from the concept of the State as it was mainly created in the 19th century," he argued. States no longer needed large territorial bases and armies to be viable. Liechtenstein, he hoped, could demonstrate that fears about small-state viability were overblown and that tiny peoples and territories could prosper through "cooperation on a worldwide and regional level, decentralization down to the smallest community, and much room for private initiative."[73] UN Secretary General Boutros Boutros-Ghali agreed on the need for a new legal framework for self-determination. "The time of absolute and exclusive sovereignty has passed," he told Prince Hans, pointing to ongoing civil wars in Lebanon and Central Africa. "The nation-state was being challenged both from above with the globalization of the economy and the media and from below," with anxiety over globalization propelling a retreat into more local forms of identity.[74] Libertarians viewed Liechtenstein as a model "of a different Europe and an alternative way of relating to the world economy," and as a challenge to the centralizing tendencies of the European Union. Around the world, economic globalization fed similar libertarian fantasies about micro-sovereignties, ministates, and other visions of self-determination in which democracy was subordinated to the unfettered pursuit of economic self-interest.[75]

This was a vision of self-determination fit for the age of neoliberalism, integrated global supply chains, and economic globalization. Gone (for many) were demands for a new international economic order, import substitution industrialization schemes, and dreams of economic sovereignty. In their place were visions of full integration with the global economy and limited macroeconomic sovereignty, coupled with pluralistic forms of democratic community and decentralized visions of political or regional autonomy that could safeguard the interests of local minorities. South Africa's transition from apartheid appeared to model this new vision. As part of the interim constitution that ended apartheid and paved the way for multiparty elections in 1994, the ANC signed an Accord on Afrikaner Self-Determination with the National Party and the Afrikaner Volksfront pledging that multiparty democracy would not permanently disfranchise them and providing for

substantial regional and cultural autonomy. This also appeased the former leaders of the Bantustans, including Zulus who feared domination by the ANC. While the ANC implemented a wide range of programs aiming to economically empower its Black majority, these did not fundamentally restructure South Africa's economy or its relationship to the world economy, in part because the International Monetary Fund conditioned South Africa's renewal of membership on the adoption of the neoliberal structural adjustment reforms, just as the IMF had required of countries like Mexico during the debt crisis of the 1980s as a condition of renegotiating their debt.[76]

South Africa was hardly an anomaly. The debt crisis, which first emerged in Latin America in the early 1980s, had by the end of the decade spread to the rest of the globe, hamstringing the efforts of states to pursue economic development and dramatically undermining their economic sovereignty. Meanwhile, Western governments and international institutions called for pro-market reforms as a condition of debt restructuring.[77] Officials at the IMF wrote approvingly of how globalization was producing new understandings of self-determination focused on democratic self-government, decentralization of political power, and the adoption of market-friendly policies. They applauded, for example, the 1994 constitution Ethiopia adopted after Eritrea gained independence, noting that "the right of self-determination by the 'nations, nationalities, and peoples' of Ethiopia" were "integral features of the reform agenda" put forth by Ethiopian officials. Federalism and decentralization were hastening Ethiopia's "continued transformation from a centrally planned to a market-based economy."[78] If postcolonial and Latin American states in the 1970s viewed demands for self-determination as means of seizing sovereignty from the world economy, Western governments and international financial institutions in the 1990s viewed it as a means to return that sovereignty to markets. South African poet Dennis Brutus, who shared a prison cell with Nelson Mandela on Robben Island, lamented that the political gains of the antiapartheid struggle were being eviscerated as "multinational corporations and multinational financial agencies such as the World Bank and the IMF increasingly control the economies of every country in the world," eroding their right to economic self-determination at their supposed moment of triumph. A new global vision of struggle was needed.[79]

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Conclusion

Afterlives

In August 2000 nearly two hundred international legal scholars, human rights activists, parliamentarians, former UN officials, and representatives of Indigenous and other self-determination movements gathered in Geneva for the First International Conference on the Right to Self-Determination and the United Nations. The conference, organized by the International Council for Human Rights and the International Human Rights Association of American Minorities, called for reform of the UN system to create institutional mechanisms for addressing the continued struggle of "internal nations" for self-determination. Of the recognized self-determination claims and movements in the late 1990s, about half were being made by internal minorities—regional, linguistic, religious, Indigenous, or cultural—in postcolonial states, with the rest scattered across the globe. Two thousand nations were squeezed into 192 states, as one conference attendee put it. During the heyday of decolonization, the UN Trusteeship and Decolonization Committees had served as crucial sites for anticolonial claim-making, petitioning, and postcolonial state-making. With decolonization mostly completed, the staff and agenda of the Decolonization Committee were significantly diminished, and the Trusteeship Committee had ceased operations in 1994. Where were peoples and movements making self-determination claims to turn? And what would a postcolonial agenda for self-determination look like? "It would be a cruel hoax to close the book on self-determination claims," international legal scholar Richard Falk acknowledged, "just because the process of decolonization has been substantially, yet not totally completed."[1]

Like the Unrepresented Nations and Peoples Organization (UNPO) a decade earlier, representatives of self-determination movements pressed for a reimagining of the concept to meet the needs of Dalits, Kurds, Tamils, Kashmiris, Palestinians, Sami, Roma, Moluccans, Scottish, Indigenous, and other peoples whose aspirations did not coincide with the boundaries drawn

by decolonization or modern state-making. These challenges required both new ideas and new institutions. Conference attendees thus called for reform of the UN system to establish a Self-Determination Commission and a High Commissioner for Self-Determination. Much like the League of Nations Mandates Commission or the UN Trusteeship Committee, these new offices would create institutional sites for making, evaluating, and adjudicating self-determination claims. The conference built on a series of meetings sponsored by UNESCO over the previous five years to conceptualize "peoples' rights," especially cultural rights, beyond the framework of decolonization. It also drew on the work of a 1998 UNESCO gathering of international experts who demanded that the UN "create an effective mechanism within the United Nations to assist in the resolution of self-determination claims and conflicts."[2] Many of the same participants attended an UNPO-sponsored Conference on Self-Determination and Conflict Transformation to discuss the continued relevance of UN mechanisms such as the Committee on the Elimination of Racial Discrimination and the Sub-Commission on the Promotion of Human Rights for resolving self-determination disputes. That same year Prince Hans of Liechtenstein founded the Liechtenstein Institute on Self-Determination at Princeton University to serve as a clearinghouse and incubator of scholarly and policy research on the peaceful resolution of self-determination conflicts in the Balkans, the former Soviet Union, and South Asia.[3]

The spread of initiatives for resolving self-determination disputes was an acknowledgment that critics' worst predictions had not come to pass. The international system did not disintegrate in the 1990s, just as it hadn't in the 1920s, 1940s, or 1970s when similar fears about the rapid growth of small states and unruly nationalists prevailed. While small states and territories faced numerous challenges, their viability as a form of political sovereignty was no longer in dispute. But scores of self-determination claims and conflicts had produced a body of scholarship and international legal principles at the UN, the International Court of Justice, and other institutions. By the turn of the twenty-first century these enabled the peaceful adjudication of an increasing proportion of self-determination disputes, though sometimes only after the exhaustion of other means, including war. Even as violence convulsed South Sudan, Eritrea, East Timor, and Kosovo, many self-determination conflicts were being resolved through state negotiations with internal minorities and, increasingly, through referendums on new constitutional or sovereignty arrangements. In East Timor (now called Timor Leste) in 1999, the UN sponsored a popular referendum on independence

after a quarter-century of Indonesian military occupation. The Association of Southeast Asian Nations and Western governments that called Timor an unviable, "indigestible lump" in 1975 and backed Indonesian annexation of the territory, vocally supported its self-determination.[4] The three decades after the end of the Cold War witnessed an explosion of similar referendums in Quebec (1995), the US Virgin Islands (1993), Northern Ireland (1998), Puerto Rico (1993, 1998), Kurdistan (2005), South Sudan (2011), Scotland (2014), Catalonia (2017), Britain (2016), the District of Columbia (2016), New Caledonia (2018), and Bouganville (2019), among other places. Referendums, however, have not always been vehicles for advancing emancipatory self-determination claims. Russian President Vladimir Putin organized a sham referendum to legitimize his 2014 annexation of Crimea from Ukraine, claiming that it represented a fulfillment of Russian-speaking Crimea's right to self-determination. He suggested that the former Soviet Union's embrace of a Leninist vision of self-determination had been a "bomb" placed at the heart of the socialist project, one that facilitated its disintegration after 1991. Supporters of Britain's 2016 vote on withdrawal from the European Union framed their case as a defense of self-determination from the threats to political and economic sovereignty posed by EU administrators in Brussels, a critique deployed by reactionary nationalists such as Hungarian Prime Minister Viktor Orbán.[5]

States and regional organizations developed an increasingly dense range of mechanisms, alongside referendums, for resolving self-determination claims, including regional political and cultural autonomy arrangements, nonterritorial autonomy, federalism, resource sharing, decentralization, and devolution.[6] In 1996 the Mexican government signed a far-reaching agreement with the Zapatista movement acknowledging the rights of Indigenous peoples in Chiapas to greater autonomy, control over natural resources, and the right to participate in local development planning. Five years later Mexico's Congress passed a law further spelling out the right of the country's Indigenous peoples to "practice autonomy as well as self-determination within the framework of a united nation."[7] The 1998 Good Friday Agreement in Northern Ireland brought decades of armed conflict to a close through a complex power-sharing arrangement between Catholics and Protestants involving regional autonomy and the creation of institutions to facilitate cross-border cooperation with both the Republic of Ireland and the United Kingdom. And following the 2004 Boxer Day tsunami that devastated the north Sumatran province of Aceh, the Indonesian government

and the Free Aceh Movement, which had been fighting since 1976 for independence, negotiated an innovative settlement involving regional autonomy, the legalization of local political parties, and greater local control of revenue from offshore oil and natural gas fields.[8] Demands that might have been met with violence in the 1950s were increasingly, though not always, being resolved through the ballot box or negotiations.[9]

The functional completion of UN-sponsored decolonization outside of a handful of places, notably Israeli-occupied Palestine and Moroccan-occupied Western Sahara, led some commentators to argue that self-determination "has outlived its usefulness in international law." It is "a phenomenon of the twentieth century," legal scholar John Morss argues, "from which we have collectively and globally moved on, normatively if not historically." Movements and peoples continuing to make sovereignty claims in its name, historian Jörg Fisch warns, threaten the stability and territorial integrity of established nation-states and by extension the international community, since genuine self-determination belongs to an ever-receding horizon of political aspirations.[10]

The notion that self-determination has outlived its usefulness would be news to international legal scholars and historians.[11] More importantly, self-determination claims and movements continue to illuminate enduring dynamics of the contemporary world, especially the tensions between political, economic, and cultural sovereignty within and between states. The era of decolonization was only one phase in self-determination's global history. A wide range of peoples, organizations, and movements continue to frame their goals around this idea, making it a legal and vernacular language of sovereignty and rights to suit their needs.

The threats posed by catastrophic climate change in particular are spurring a reconsideration of the meaning and utility of self-determination as a collective and even global right, marking a departure from the narrow Western focus on procedural democracy at the end of the Cold War. In 2009 the UN Human Rights Council and the High Commissioner for Human Rights acknowledged that climate change was undermining the right to self-determination of Indigenous peoples, Small Island Developing States, and others threatened with environmental catastrophe, habitat loss, or even extinction from rising sea levels. "The inundation and disappearance of small island States" such as the Maldives, the High Commissioner observed, "would have implications for the right to self-determination, as well as for the full range of human rights for which individuals depend on the State for

their protection." These include the right of peoples not to be deprived of their own means of subsistence and to choose their own political, cultural, and economic future, a practical challenge for those whose country might be swallowed up by an ocean.[12] As the Human Rights Council met, representatives of more than four hundred Indigenous communities and organizations gathered in Anchorage, Alaska, for an Indigenous Peoples' Global Summit on Climate Change. Looking to the forthcoming UN Climate Change Conference in Copenhagen, attendees issued the Anchorage Declaration, which demanded that the rights of Indigenous peoples to self-determination be "fully recognized and respected in all decision-making processes and activities" in the UN Framework Convention on Climate Change (UNFCCC) and Intergovernmental Panel on Climate Change (IPCC). The UN Permanent Forum on Indigenous Peoples similarly called for the UNFCCC and IPCC to facilitate Indigenous participation in national and international decision-making processes related to climate change, drawing on the UN Declaration on the Rights of Indigenous Peoples. The working group noted that "self-determination is the key provision in the Declaration from which every other right flows," including political, land, resource, and cultural sovereignty. Indigenous people must be free and full participants in discussions about climate issues affecting their interests, given their disproportionate impact on Indigenous lifeways.[13] This included, for example, the right of Arctic peoples to reject commercial activity negatively affecting their cultures and livelihoods, which were being disrupted by the disappearance of summer ice and competing sovereignty claims near Indigenous lands.[14]

Pacific peoples joined Indigenous peoples in arguing that climate change threatened the right to self-determination, and perhaps the very existence of tiny island states such as Vanuatu, Tuvalu, Kiribati, and the Maldives. Among the last non-self-governing territories to exercise their right to self-determination to determine their political status, these islands found themselves threatened with inundation and political extinction, and their populations with permanent displacement. The UN, World Bank, and other international organizations increasingly recognized that climate change undermined many island peoples' sovereignty, political autonomy, and cultural identity. But as Flavia Ransieri, Deputy United Nations High Commissioner for Human Rights, observed, climate change "does not sit comfortably within the categories of colonization or foreign occupation" from which decolonization-era conceptions of self-determination emerged.[15]

How, then, might the citizens of small island nations exercise their right to self-determination if the territory on which they previously enjoyed that right no longer exists? How relevant were decolonization-era declarations and resolutions for addressing climate change, and what rights could they possibly compel recognition of?[16]

Pressure for more expansive conceptions of self-determination again percolated from below. Indigenous organizations, youth climate change activists, parliamentarians from Small Island Developing States, and international legal scholars sought to reinterpret decolonization-era resolutions and declarations on the right to self-determination to demand urgent action to address climate change. In 2021 the prime ministers of Antigua and Barbuda and Tuvalu created a Commission of Small Island States on Climate Change and International Law. Palau, Niue, Vanuatu, and St. Lucia quickly joined these efforts to develop new theories of international law to account for the existential threat climate change poses to their residents. The International Law Association, UNPO, Liechtenstein Institute for Self-Determination, and other organizations pursued similar initiatives.[17] In 2023 the prime minister of Vanuatu spearheaded a UN initiative to request an ICJ advisory opinion on the responsibilities of states in addressing climate change.[18] The ICJ, which had already established legal precedents on Namibia, Western Sahara, Diego Garcia, and East Timor, was being asked once again to reinvent the right to self-determination for the age of global warming, rising oceans, and extreme weather.

The campaign for this advisory opinion was initiated by an alliance of youth climate justice organizations such as Pacific Students Fighting Climate Change, Climate Action Network–International, the Pacific Islands Climate Action Network, and the Vanuatu Climate Action Network.[19] The student campaigners worked with international legal scholars to promote novel interpretations of existing UN resolutions such as the 1970 Friendly Relations Declaration, as well as more recent instruments such as the UN Declaration on the Rights of Indigenous Peoples, in making the case for self-determination as a legal framework for climate related rights claims.[20] As during the interwar period and at the height of decolonization, small peoples and territories, and transnational organizations and networks are once again serving as crucial agents in the invention and circulation of novel visions of self-determination.

* * *

Self-determination as a global language of sovereignty and rights claims was the child of fin de siècle Europe. It gained a global platform during World War I and became a cornerstone of international law after World War II. It rose to prominence as a discourse of solidarity and claims-making at a series of distinctive historical junctures where the structures of the international political system and world economy seemed unusually fluid and open-ended. The persistence of the idea well into the twenty-first century as a legal and vernacular instrument for framing wildly divergent sovereignty and rights claims attests to the limits of early twentieth-century conceptions. Neither Woodrow Wilson nor Vladimir Lenin was willing to wrestle with the far more expansive visions of self-determination proposed by anticolonial leaders, the implications of competing claims by various ethno-nationalist and religious groups, or the contradictions between political sovereignty grounded in the nation-state and the countervailing demands of an increasingly integrated world economy. The leaders of postcolonial states after 1945 were likewise unprepared to acknowledge the persistence and legitimacy of claims by ethnic, religious, regional, and Indigenous groups who viewed *uti possidetis*, the idea that newly independent states should retain their colonial borders, as an inadequate vehicle for realizing their sovereignty and rights claims, or a new international economic order as an adequate alternative to the historical patterns of economic exploitation they faced.

The contests waged over competing visions of self-determination reflected the efforts of powerful states and actors to contain it within acceptable bounds, as well as the initiative and creativity of peoples and movements on the margins of national and international society to offer more capacious conceptions of economic and political sovereignty and rights. These contests persist in many parts of the world, even if the terrain on which they are waged differs substantially from the seeming heyday of self-determination in the 1960s and 1970s. They speak to continued deep anxieties about the relationship between political, economic, and cultural sovereignty in a global economy, and to the increasingly complex challenges of our contemporary world.

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Notes

Introduction

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Chapter 1

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Chapter 2

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Chapter 3

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Chapter 4

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Chapter 6

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Chapter 7

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Conclusion

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Index

For the benefit of digital users, indexed terms that span two pages (e.g., 52–53) may, on occasion, appear on only one of those pages.

Ababa, Addis 92–3
Abbas, Ferhat 38–9
Abboud, Ibrahim 92–3
Abdoh, Djalal 128
Aboriginal peoples (Australia) 4–7, 34–5, 75–6, 80–1, 160, 193, 201–5, 208–10, 212–13, 224–5
  Aboriginal Protection Society 204–5
Aceh (Acehnese) 62, 65–6, 167, 235–6, 241–2
  Gerakan Aceh Merdeka (Free Aceh Movement) 167, 235–6, 241–2
Acheson, Dean 55–6, 124–6
Aden 148
Afghanistan 74–5, 114–15, 128–9, 217–20, 229, 233–4
Africa (Africans)
  African Banjul Charter on Human and People's Rights 146–7, 227–8
  Afro-Arabs 109
  Afro-Asianism 83–4
  Afro-Asian Lawyers Association (AALA) 128–9
  Afro-Asian Peoples Solidarity Organization 225
  All-African People's Conference 102, 110–11
  and the Atlantic Charter 25–6, 37
  balkanization of 86–7, 105–6, 108
  Black Leadership Conference on Southern Africa 114
  Central Africa 236–7
  Conference of Independent African States 110–11
  Conference of Jurists of Afro-Asian Countries 110–11
  East Africa 48, 148
  and labor 61
  and natural resources 34, 121, 124–5, 142, 175
  North Africa 10, 24–5, 30–1, 38–9, 135, 160, 167–8, 172–3
  Portuguese Africa 115, 148, 182
  and self-determination 1–2, 20–1, 28–30, 44, 52–3, 85–9, 115, 208, 220, 234–5
  and small states 153–4, 157–8
  southern 17, 30, 88–9, 113–14, 158–9, 182–4, 187–8, 222–4, 227
  South West Africa 1, 54–5, 71, 94–6, 182
  Southwest Africa 52–3
  See *individual nations by name*
African Americans (Black Americans)
  African American Manifesto on Southern Africa 113–14
  American Negro Leadership Conference 111
  Black Arts Movement 185, 190–1
  Black capitalism 185–7
  Black Economic Development Corporation 186–7
  Black internationalism 29, 61–2, 145–6, 162, 181–2, 213–14
  Black Muslims 189–90
  Black Power 180–1, 185–9, 199, 204, 209, 213–14
  Congressional Black Conference 113–14
  Community Progressive Negro Painters Union 52–3
  Congress of Racial Equality (CORE) 180
  League of Revolutionary Black Workers 188
  liberation theology 185
  National Association for the Advancement of Colored People (NAACP) 11–30, 45–6, 61–2, 162, 182, 188
  Negro question 93–4, 181–2
  National Council of Negro Women 42
  National Negro Congress 37
  radicals 105, 185–90
  and self-determination 13, 21, 145–6, 180–9, 208–10
  Southern Christian Leadership Conference 185
  Southern Negro Youth Congress 61–2
  Student Nonviolent Coordinating Committee (SNCC) 184, 188

African National Congress (ANC) 17, 30, 34, 89, 93–6, 100, 111–12, 114, 124–5, 222–5, 237–8
Afrikaners 17, 88, 93, 96–100, 237–8
Al-Fassi, Allal 38–9
Algeria (Algerian)
  and Black internationalism 182, 185
  Comité Chileno Pro-Autodeterminación de Argelia 4–5
  FLN 110–11, 210
  and guerilla movements 112–15, 168–9
  and natural resources 140–1
  and nonaligned nations 171–5
  pieds-noir 88
  and self-determination 38–9, 105, 113–14, 140, 144, 170
  war for independence 89, 99, 104, 110–11, 160
Alinsky, Saul 186
All Colonial People's Committee 45–6
Allende, Salvador 143–4
Alperowitz, Gar 180
Alptekin, Erkin 235
Amazonians 207–8
Ambedkar, B.R. 14–16
Ambon (Ambonese) 66–8
Anglicans 72
American Association for the United Nations 45
American Bar Association 134, 142
American Committee on Africa (ACOA) 81–2, 111, 182
American Council on Africa 29, 45
American Enterprise Institute 177
American Friends Service Committee 81–2
American Indian Movement (AIM) 189–90, 199, 201, 209–10
American Samoa 53–4, 59, 76, 191
American Society of International Law 69–70
Americans for Democratic Action 110–11
Amin, Hafizullah 218–19
Ammoun, Faoud 1–2, 4–5, 89
Amnesty International 111, 206, 235–6
Andu, John R. 61–2
Anekwe, Simon 103
Angola (Angolans) 89, 111–13, 149, 167, 185, 219–20, 222–3
annexation (annex) 1, 6, 23, 42–3, 54–5, 71, 90–1, 94–5, 150, 152–3, 164–6, 220, 240–1
Antigua (Antiguans) 220–1, 244
apartheid
  African opposition to 111
  antiapartheid 7, 19, 172–5
  and Biafra 104
  Center Against Apartheid 222–3
  gender activists against 189–90
  religious opposition to 187–8
  and self-determination 17, 88, 93–100, 222–4, 237–8
  Special Committee Against Apartheid 222–3
  Tomlinson Commission 98
  UN International Committee Against Apartheid, Racism, and Colonialism in South Africa 222–3
  and the United Nations 54–5, 161–2
Arabs 41, 73–7, 91–2, 109
  Arabic (language) 38–9
  Sahrawi Arab Democratic Republic (SADR) 171–2
Argentina (Argentines) 20, 129–30, 137
Armenia (Armenian) 229–31
Armstrong, Hamilton Fish 24
Artic peoples 204
Asante peoples 85–6
Asia
  Afro-Asian Lawyers Association (AALA) 128–9
  Afro-Asian Peoples Solidarity Organization 225
  anti-colonial activism 5–6, 30–1, 52–3, 60–1, 87–8, 114–15
  Arab-Asian 76–7
  Asian Socialist Conference (ASC) 64, 148
  Asian-African Legal Consultative Committee (AALCC) 134–5
  Association of Southeast Asian Nations 240–1
  British intervention in 48
  decolonization 15–16, 21–2
  Federation of the Free Peoples of Asia 51
  Japanese invasion of 25–6, 32–3
  pan-Asian 13, 21, 32–3, 181–2
  protection of rights in 63
  and small territories 153
  South Asia 13–14, 25–6, 239–40
  South East Asian League 51
Asianism 13, 21, 32–3
  Afro-Asianism 83–4
Askoul, Karim 80
Assam (Assamese) 2
Association of World Federalists 155
Atlantic Charter:
  aims of 21, 26–7, 54, 58
  Four Freedoms 27–9, 37, 39
  in light of World War II 37–41
  and military bases 42–9

road to 23–4
and self-determination 8, 15–16, 21–2, 24–37, 50–1, 54, 58, 60–3, 90, 94, 124–5, 230
Study Committee 30
Atlee, Clement 28
Aung, U Hla 148
Austin, Warren 94–5
Australia
ANZUS 154–5
and Black internationalism 185
Committee for the Defense of Native Rights 205
and decolonization 150, 152–5, 157, 159–61, 220–1
and labor 45–6, 61, 160–1
and the League of Nations 12–31
and military bases 57
Ministry of External Affairs 81–2
and self-determination 56, 59–60, 75, 78, 115
and trusteeship 44
See also Aboriginal peoples (Australia)
Austria 23–4, 32
Azerbaijan 229–31, 234–5
Azis, Abdul Andi 67
Azores, the 114

Baker, Ella 184
Baldwin, Roger 81–3, 85–6, 131–2
Baltic states, the 37–8, 161–2, 177–8, 227–31
Bandung Conference 4–5, 83–4, 92, 99
Bangladesh 109, 166–7, 217–18, 235–6
Bantustan (Bantus) 99–100, 104, 237–8
Barbados 208
Barbuda 220–1, 244
Barnes, Leonard 72
Baroody, Jamil 72–4, 133–4
Barry, Marion 188
Basso, Lelio 165–6, 175
Basutoland 148
Batak 65–6
Beal, Frances 189–90
Beaufort, Didymus 79
Bedjaoui, Mohammed 140, 144–5
Beehuanaland 148
Belgium (Belgian) 12, 26–7, 34, 53, 75–6, 78, 81, 89, 93–4, 173–5, 230–1, 240–1
Flemish 232–3
Belize 220–1
Benedict, Ruth 196
Bermuda 42
Bethune, Mary McLeod 42
Beureueh, Mohammed Daud 65–6
Biafra, Republic of
Aktion Biafra-Hilfe 206–7
American Committee to Keep Biafra Alive 104–5
secession as case study of self-determination's limits 7, 34–5, 100–12, 210–11
as warning 108
Black Belt (state) 21, 181–2, 188
Black Panther Party (Black Panthers) 113–14, 181, 185–6, 189–90
Bolivia (Bolivian) 128–9, 164–5, 204
Bonnin, Gertrude 193
Bose, Subhas Chandra 30
Bosnia 231–4
Bossi, Umberto 232–3
Botswana 188
Bouganville 240–1
Boumédiène, Houari 170
Bourguiba, Habib 170
Boutros-Ghali, Boutros 236–7
boycotts *or* sanctions 111, 188, 222–4
Brandt, Willy 234–5
Brazil 6–7, 90, 136–7, 193, 204, 207–9
Brazzaville Conference 39
Bremen Court of Appeal 131
Bretton Woods system 5, 146–7, 175–6
Brezhnev Doctrine 219–20, 229
Brock, Robert L. 184
Brockway, Fenner 85–6, 156, 172–3
Brown, Fonoti Ioane 54
Brutus, Dennis 238
Bulgaria (Bulgarian) 114–15, 219–20
Bunche, Ralph 28–9, 56
Burma (Burmese) 28, 48, 52–3, 63, 74–5, 83–4, 134–5, 148, 166–7, 204, 217–18, 235–6
Karen 63
Mon 63
Shan 63
Bursum, Holm 193
Bush, George H.W. 230–1
Butler, La Follette 199–201
Byelorussia 232
Byfield, Robert 132

Cabral, Amilcar 112–14, 182, 185, 209–10
Cadogan, Alexander 25–6
Cameroon 110–11
(British and French) 58, 75

Canada (Canadian):
1969 Statement on Indian Policy 205–6
and Biafra 104–5, 114–15
First Nations 6–7, 12, 193, 196–7, 199, 204–14
House of Commons 210–11
International Conference of Indigenous Peoples 211
National Indian Brotherhood 209–10
and self-government 43
Six Nations 193, 204–5
See also Quebec
Canary Islands, the 168–9
Cape Verde 112–13, 149
Cárdenas, Lázaro 123–4
Caritas 104–5
Carlsson, Ingvar 234–5
Carmichael, Stokely 185, 199
Carnegie Endowment for International Peace 234–5
Carr, E.H. 32–4, 122–3
Carranza, Venustiano 122–3
Carter, Jimmy 215–17
Cassin, René 71, 76–8
Castaneda, Jorge 130–1
Castro, Fidel 135–6
Catalonia 2, 232–3, 240–1
Cayman Islands 159
Central America 19–20, 124–5, 221–2
Césairé, Aimé 86
Ceylon 48, 83–4, 134–5
Chad 108, 114–15
Chagossians 159–60
Charter of Paris for a New Europe 230–1
Charter on the Economic Rights and Duties of States 144–7, 226
Chicanos 187, 189–91, 199
Chile (Chilean) 4–5, 44–5, 70–1, 110–11, 128–30, 133–4, 143–4, 219–20
China (Chinese)
and Biafra 104
and the Pacific 34–5
Revolution 74
and self-determination 46–7, 52, 102, 112, 226
Sino-Korean People's League 45
and small states 33
and the United Nations 42–7, 133
Uyghurs 235
Xinjian provice (East Turkistan) 235
Chow, H.R. 34–5
Christianity (Christian)
missionaries 92, 97, 208–9
and self-determination 65–8, 90–2, 97, 187–8
Protestantism (Protestant) 97–8, 186–7, 208, 241–2
theology 97–8, 184–5, 187–8
See *individual denominations and organizations by name*; Roman Catholicism (Roman Catholic)
Churchill, Winston 8, 15–16, 21, 24–7, 37, 39–40, 45
civil rights 61–2, 99–100, 113–14, 180–6, 188–9, 197, 201
civil wars
Congolese 102
El Salvadoran 215
Indonesian 64, 115
Korean 74
Nigerian 17, 100–1, 103–10, 206–7
Rwandan 232–3
Sudanese 17, 88–93
Yugoslavian 231–2
Clayton, Will 94–5
Cleveland, Harlan 155
Climate Action Network-International 244
climate change
Commission of Small Island States on Climate Change and International Law 244
Pacific Students Fighting Climate Change 244
Vanuatu Climate Action Network 244
Cobban, Alfred 32, 124–5
Cobo, José R. Martínez 211, 224–5
Cold War 18–19, 74, 83, 87, 109, 149, 181, 215–19, 229–31, 233–7, 240–3
Collier, John 193–4
Colombia 137–9, 143–4, 204, 207–9
Committee for a Democratic Far Eastern Policy 61–2
Committee for Self-Determination Inc. 136–8
Committee on African Studies 29–30
Commonwealth of Independent States 232
Communism (Communist):
African Communist Party 93–4
anti-communism 82–3, 99, 128–9, 136–7, 148–9, 181, 229
Black American 181–3
Canadian 204–5
collapse of Eastern European 232–3
Communist International 23, 93–4, 181–2
Communist Party USA 181–2
Czechoslovakian Communist Party 177–8
and economic sovereignty 13, 121
Indonesian 60–2
and non-self-governing territories 76, 82–3

post-World War II fears of 39
and self-determination 76, 217–18
and small states 148–9, 154–5, 159, 177
South African Communist Party 93–4, 96–7, 99
Sudan Movement for National Liberation 91, 109
Trotskyist Communist League of America 93–4
UK Communist Party 172–3
and Washington DC 188
Community Self-Determination Act (CSDA) 180, 186
Community Self-Determination Symposium 180
Comoros, the 149
Congo, the 81, 89, 102, 106–8, 167
Congress of American Women 61–2
Congress of Peoples Against Imperialism 51
Congress of the League Against Colonial Oppression 93–4
Constitutions
and Burma 166–7
and Canada 210–11
and Croatia 232
and Ethiopia 238
and France 151, 220–1
and Great Britain 152
of India 15, 96
and Indonesia 62–9
of Mexico 123
and Micronesia 176
and minority groups 86–7
and the Philippines 117
postcolonial 11, 63
of Puerto Rico 76
and self-determination 4–5, 14–15, 52–3
and small states 155, 159
and South Africa 237–8
and Sudan 91–2
and the UN 134, 240–1
USA 189–90
and Yugoslavia 231–2
Contreras, Villamar 128–9
Convention on the Rights and Duties of States (1933) 135–6, 142
Convention People's Party (CPP) 85
Cook Islands 153, 176–7
corporations
Black Economic Development Corporation 187
community development corporations 180, 186
foreign 135
granted equal rights 117
multinational corporations (MNC) 6–7, 116–19, 130–4, 143–7, 238
Native Corporations 198, 201
and self-determination 17–18
Cortina, Pedro 170–1
Council on African Affairs 29–30, 42, 44–6, 71, 182
Council on Foreign Relations 25
Crimea 2, 240–1
Cripps, Stafford 28, 40
Cristescu, Aureliu 145–6, 221–2
Croatia (Croat) 26, 231–2
Crosby, Isiah 58–9
Cruickshank, Earl 131–2
Cuaderno, Miguel 118
Cuba (Cubans) 20–1, 44–5, 110–14, 135–7, 165–6, 171–2, 185, 210, 215–17, 219–20, 222–3
Cultural Survival 172–5, 181–207, 213–14
Cyprus 27, 42, 80–2, 148
Czechoslovakia (Czech) 23–4, 26–7, 32, 124, 129, 177–8, 219–20

Dales, R.N. 171–2
Dalits 14–15, 239–40
de Buday, Kolman 124
de Gaulle, Charles 26–7, 39, 150, 160
Dean, Patrick 102
debt 118–19, 237–8
decolonization, as territorial and political process 152
Deloria, Sam 201–2
DeLoria, Vine 195, 199–202
democracy
and climate change 242–3
and economics 121–3, 236–8
internal 5, 12, 112
multiracial 93–6, 99–100, 223–4
and self-determination 14, 39, 76, 79, 235–6
Democratic Party (US) 180, 188–9, 196
Deng, Edward 92–3
Denmark (Danish) 20, 227–8, 242–3
Dia, Mamadou 86
Diego Garcia (Island) 159–60, 244
Diplomatic Conference on the Law of War 115
displaced (peoples) 80, 152, 159–60, 219–20, 243–4
dissidents 19, 102, 178–9, 221–2, 227–9
Doman, Nicholas 35–6
Domingo, Wilfred 20–1
Dominican Republic 44–5, 135–6, 184

du Plessis, L.J. 99–100
Dubcek, Alexander 177–8
DuBois, W.E.B. 28–9, 61–2, 181–2
Dui, Buth 91–2
Dulles, John Foster 45–6
Dumbarton Oaks meeting 42–5, 205
Dupong, Pierre 36

Eagleton, Clyde 69–70, 132
East Indies 15–16, 48, 50, 68, 162. *See also* Netherlands East Indies
East Timor (Timor Leste) 18, 172–3, 222–3, 240–1, 244
East Turkmentistan 235–6
Eban, Abba 64
Echeverría, Luis 205–6
Economic Opportunity Act (EOA) 197
Ecuador (Ecuadorian) 47, 129–30, 137, 208–9, 211
Efiks 105
Egypt (Egyptian) 17, 28, 39, 42, 47, 61, 74–5, 88–92, 109, 112–15, 134–5, 142–3, 158
Eisenhower, Dwight D. 83, 133, 136, 151, 194–5
Ekois 105
El Salvador 143–4, 215–17
El-Ayouty, Yassin 112–13
Elkin, A.P. 34–5, 72
Ellice Islands 55–6, 159
Embree, John 194
Emerson, Rupert 108
Equatoria Corps 92
Eritrea 86–7, 90–1, 109, 167, 217–18, 232–3, 238, 240–1
Estonia 11, 37–8, 161–2, 227–8, 232, 235
Ethiopia (Ethiopian) 21, 86–8, 90–1, 109, 115, 167, 182, 232–4, 238
ethnicity (ethnic)
  as basis of nationhood 14, 30–1, 51–2, 86–7, 92–3
  and Biafra 67–75
  and decolonization 16
  ethnic studies 190–1, 196
  and India 15–16, 79–80
  and Indonesia 60, 62–6, 162–3
  and self-determination 4–6, 11, 13, 23–4, 37, 41, 45–6, 75, 245
  and small states 5, 31–2, 152–4, 166–8
  and socialism 218–19, 226–7, 229–33
  and South Africa 99–100
  and US movements 184–222
Etzioni, Amitai 233–4
Europe
  Central 24–5
  Eastern 19–38, 52, 76, 79, 133–4, 158–9, 161–2, 177–9, 215–17, 221–2, 227–30, 232–3
  Southern 11, 23, 32, 234–5
  and Western 20, 24, 33, 43–4, 115, 217, 223–4
European Union (EU) 230, 234–7, 240–1
Evian Accords 140
Ewe peoples 75

Fanon, Frantz 110–11
Federal Council of Churches 45–6
federalism 14, 16, 32, 35–6, 67, 69, 73–4, 101–2, 108–14, 153–5, 198, 238, 241–2
Feith, Douglas 227
Fellowship of Reconciliation 81–2
feminism (feminist) 160–1, 181, 189–90, 226–7
Ferrero, Raul 144
Fichte, Johann Gottlieb 8–9
FIGHT 186
Fiji 80–1, 152–5, 160–1, 176–7
Finland 6–7
Flathead (nation) 194–5
Ford, James W. 181–2
Forman, James 187
Forman, Lionel 96
Fortas, Abe 45
Fortuna Islands 151
Fouques-Duparc, Jacques 46
France (French)
  and the Atlantic Charter 38–9
  and Biafra 104–7
  Declaration of the Rights of Man 8–9
  and economic self-determination 132–3, 140, 146, 176–7
  Foreign Ministry 76–7
  Free French 26–7, 39
  and the League of Nations 5–6, 12
  oppose colonial holdings' self-determination 10, 16, 39, 47, 53, 63, 71–2, 74–8, 80–1, 99, 114–15, 126, 132–4, 162–3, 170, 220–1
  and self-determination 24, 172–5
  and small states 148–55, 157–61, 171–7
  territoire d'outre-mer 151
  and trusteeship 48–9, 52, 55–7, 59–60
  and the UN 46
  and violence 110–11
  and World War II 20, 24, 26–7
Franco, Francisco 169
Fraser, Peter 54

free trade 25–6, 82–3, 123–4, 129, 146–7
French Guiana 150
French Indochina 39, 48
French Polynesia 53–4, 150–3, 176–7, 220–1
Friedan, Betty 189
Front for the Liberation of the Seguiet el-Hamra and the Rio de Oro (Polisario Front) 168–74

Gabon 104
Gambia 148
Gandhi, Mahatmi 13–15, 40–1
Garang, Joseph 109
Geneva Convention 223–4
genocide 17, 51–2, 89, 104–6, 108–10, 165
Georgia 230–1, 235
Germany
  and anticolonial nationalism 30–2, 173–5, 235
  and Biafra 104–5
  and colonialism 30, 53–4, 85, 96–7, 232–3
  East Germany 143–4, 229–30
  and economics 124, 131, 140, 149–50
  empire 2, 223–4, 228–9
  and gender activism 189–90
  German Democratic Republic 229–30
  language 23–4
  reunification 5–6, 229–30
  and self-determination 51–2
  and trusteeship 47
    West Germany 229–30, 234–5
  and World War II 23–5
Ghana (Gold Coast) 17, 85–7, 89, 91, 99, 111, 148, 156, 182
  National Liberation Movement (NLM) 85–6
Gibraltar 42, 148, 171–2
Gilbert Islands 55–6, 159
Gillan, Angus 90
globalization: and self-determination 5, 19, 124–5, 146, 175–7, 234–8
Good Neighbor Policy 124–5
Gorbachev, Mikhail 229–31
Gowon, Yakubu 101–2
Great Britain (British)
  Anglo-Egyptian 17, 88–91
  Anglo-Iranian Oil Company (AIOC) 126–7, 130–1
  Anti-Apartheid Movement 172–3
    Anti-Slavery Society 172–5, 205, 225
  British Phosphate Commission 55–6
  Colonial Office 91, 152
  Committee for Indigenous Peoples 172
  Commonwealth 27–8, 44, 51, 204–6
  Commonwealth Office 171–2
    Dominion status 14, 27–8, 32, 40
  Fabian Society 90–1
  Federation of Indian Nationalist Organizations in Great Britain 45–6
  Foreign Ministry 158–9
    Foreign Office 25–6, 76–8, 80–1, 92, 131, 158–9, 164–5
  House of Commons 24, 26–7
    MPs 20–1, 33–4, 85–6, 106, 125–6
  Labour Party 106, 126–7, 172–3
  Movement for Colonial Freedom (Liberation) 82–3, 85–6, 111, 113–14, 156, 172–5, 206
  Privy Council 40–1
    Sahara Action Committee UK 172–5
  Smaller Territories Enquiry 153–4
Greece (Greek) 13, 26–7, 31–2, 42, 78
  Cypriots 82
Green, Marshall 164–5
Greenland 204
Grenadines, the 220–1
Grigg, Edward 33–4, 124–5
Group of 77 116, 140–1, 144
Guadeloupe 150
Guam 53–4, 59, 76, 153, 160–2, 176–7, 191, 220–1
Guatemala 128–9, 142–3, 204, 208–9
Guinea Bissau 112, 149, 170, 185
Gunther, John 23
Guyana (Guyanese) 116, 135–6, 146, 211, 234–5

Hager, Kurt 228–9
Hague, The 22–3, 62–3, 152, 162, 235–6
Haiti 47, 104, 156, 182
Hale, Sheldon 81–2
Hammarskjöld, Dag 82
Hans Adam II (Prince) 236–7
Hapsburg empire 11, 96–7, 124
Hart, Jeffrey 177
Hasan (King of Morocco) 168
Hasan Di Tiro, Mohammed 167, 235–6
Hatta, Mohammed 50, 60–1, 64–5
Hausa-Fulani 101–2, 105
Hawaii 99–100, 151
Haywood, Harry 181–2
Helsinki
  Accords 215–17
  Final Act 177–8, 221–2, 227–9
  Watch 177–8, 223–4, 227–8

Herzegovina 231–2
Herzog, Julie 136–7
Hickerson, John 55–6
Hill, Kenneth 44
Hindus 13–15
Hindustan Motors Company 129–30
Hines, John 186–7
Hitler, Adolf 23–5, 28, 32–3, 51–2, 124
Holland, D.T. 78
Holland, Robert 70
Honduras 135–6
Hong Kong 80–1, 107, 148, 159
Hook, Sydney 136–7
Hopis (nation) 195–6
Hornbeck, Stanley 43
Houghton, Hobart 98
Houser, George 111
Hula, Erich 32
Hull, Cordell 25, 27, 34, 37, 43
Human Rights Watch 235–6
Humphries, John P. 70–1
Hungary (Hungarian) 24, 32, 35–6, 124, 177–8, 219–20, 240–1

Ibibios 105
Ickes, Harold 56–7
Igbos 100–2, 105–6, 108–9, 206–7
Ijaws 105
Ikoku, Sam 108–9
immigration (immigrants) 37, 41, 148, 187, 191, 232–3
India
  All-India Muslim League 13–15, 63
  Congress Socialist Party 33
    Eastern 14–15
  Federation of Indian Nationalist Organizations in Great Britain 45–6
  Government of India Act 13–14
  Indian Congress Party 13–15, 40, 44, 96
  and Micronesia 154–5
  National Congress 13–14, 30, 40, 182
  National Congress Party 96
  National Indian Brotherhood 209–10
  Northwest 14–15
  Quit India Movement 40
  and self-determination 21, 70–1, 79–80
  and South Africa 71, 94, 129
  two-nation theory 14–15, 40–1
  at the Versailles Conference 13–32
Indigenous peoples
  African 34, 44, 91, 96–7, 109
  and the CHR 72
    and climate change 242–5
  Congress of Indian Movements 224–5
  critiques of democracy 14
  and economic self-determination 119–21, 124–5, 134–5, 145–7
  Eighth Interamerican Indigenist Congress 224–5
  indigenismo 205–6, 224–5
  indigenization 54, 91, 119–20, 135, 169
  Indigenous Peoples' Global Summit on Climate Change 243–4
  internationalism 204–14, 224–7
  International Labor Organization's Convention on Indigenous Rights 225–6
  and the League of Nations 12
  and Mexico 232–3
  Misurasata 217–18
  and natural resources 176–7, 235–6
  and the Non-Aligned movement 223–4
  and nuclear testing 160–1
  in the Pacific 54–6, 59, 62–3, 160–1, 165
  and Palestine 41
  and the saltwater thesis 152
  and self-determination 4–7, 18–19, 34–5, 75, 167, 178–9, 193–203, 221–2, 235–6, 239–44
  and small states 169, 172–5
  and the United Colonial Charter 48
  usi possidetis 5–6, 245
  See also Aboriginal peoples (Australia); Native Americans, Canada, First Nations
individual rights 5, 63–4, 70, 72, 75–6, 78, 81–2, 195
Indonesia (Indonesian)
  and the Atlantic Charter 50
  Bandung conference 4–5, 83–4, 92, 99
  and the CHR 74–5
  civil war 64, 115
  Communist Party, (Partai Komunis Indonesia) 60–1
  constitution 52–3
  Denpasar agreement 67
  and East Timor 240–1
  Eastern Indonesia (Spice Islands) 66, 69
  and economic self-determination 118–20, 128–9, 131, 134–6, 141–3
  and Indigenous peoples 204
  Indonesian League of America 45, 61–2
  Linggadjati agreement 67, 69
  Negara Islam Indonesia (Islamic state of Indonesia *or* ISI) 65–70
  Queen Juliana 66
  Renville Agreement 69
  Republic of Indonesia 64, 66–7, 69

Round Table Agreement 64–5, 67
and self-determination 16, 50–1, 60–70, 79–81, 148
Socialist Party (Party Sosialis Indonesia) 60–1
United States of Indonesia 64–5, 67, 69
and the USSR 220
US support of separatist movement 106–7, 182
and violence 114–15
and West New Guinea 162–7
See also Aceh (Acehnese)
Information and Research Center on Transnational Corporations 145
Innis, Roy 180, 186
Institute of Ethnic Affairs 56–7
Institute of Pacific Relations 56–7
Intergovernmental Commission on Transnational Corporations 145
International Bank for Reconstruction and Development 126
International Center for the Settlement of Investment Disputes (ICSID) 142
International Chamber of Commerce 132–3, 142
International Code to Protect Foreign Investments 132–3
International Colonial Commission 45–6
International Committee of the Red Cross (ICRC) 104–5
International Co-Operative Alliance 125–6
International Council for Human Rights 28–9, 239
International Council of Women 28–9
International Court of Justice (ICJ) 1–2, 4–5, 126–7, 160–1, 170–1, 217, 240–1, 244
International Human Rights Association of American Minorities 239
International Indian Treaty Council (IITC) 201, 209–11, 213–14, 217–18, 225
International Law Association 69, 244
International League for Human Rights (ILHR) 81–3, 85–6, 111, 131–2
International League for the Rights and Liberation of Peoples 165–6
International League for the Rights of Man 111
International Monetary Fund (IMF) 146, 156, 237–8
International Women's Year 189–90
International Working Group for Indigenous Affairs (IWGIA) 206–14
Iran 37–8, 50–1, 74–5, 114–15, 126–31, 141–4, 219–20
Iraq (Iraqi) 2, 12, 24–5, 74–5, 91, 134–5, 141, 167, 233–5
Ireland 106
Northern Ireland 240–2
Republic of Ireland 241–2
Iriquous (nation) 193, 204–5
Isaaacs, Harold 175–6
Islam (Muslim)
All-India Muslim League 13–15, 40–1, 63
Black 189–90
Darul Islam movement 34, 65–6, 167
in India 13–15, 40–1, 64
in Indonesia 61, 65
Java as Islamic republic 62
Lahore Resolution 14–15
Mecca 61, 185
Pan-Islamic 13, 21, 23, 65–6, 167, 181–2
Sudan as 90–2
Umma Party 91–2
UN Islamic Conference 220
Uyghurs 235
in Yugoslavia 231–2
Italy (Italian) 9, 21, 39, 47–8, 130–1, 146, 155, 165–6, 182, 232–3
Northern League 232–3
Ivory Coast 17, 86–7, 104

Jagan, Cheddi 135–6
Jamaica (Jamaicans) 20–1, 44
James, C.L.R 20–1, 182
Japan (Japanese)
and anticolonial nationalists 30–1
and decolonization 38–9, 48, 62–3, 87–8
and economic self-determination 130–1, 133–5
Greater East Asia Co-Prosperity Sphere 30–1
and Manchuria 23–5, 33
mandates 34–5, 42–3, 47, 55–7, 94–5
Pacific Charter 30–1
and pan-Asianism 13, 32–3
and self-determination 30
and WWII 22–6, 54, 56–7
Java (Javanese) 34, 62–8, 167
West Java 62–3
Sundanese 62–3
Jayakar, M.R. 40–1
Jews (Jewish *or* Jewry)
American Jewish Committee 31–2, 35, 45–6, 81–2
Emergency Committee to Save the Jewish People of Europe 37–8
Jewish Agency for Palestine 64
migration to Palestine 41, 73–4
and self-determination 13
World Jewish Congress 45, 82–3, 131–2
Zionism 13, 41, 73–4

Jiménez, José "Cha Cha," 191
Jinnah, Mohammed 14–15, 40–1
John Paul II (Pope) 215–17
Johnson, Lyndon B. 106–7, 135–6, 140–1, 197–8
  War on Poverty 184, 197
Joint Church Aid 104–5
Jouwe, Nicolaas 59–60, 162

Kahn, Liaquat Ali 80
Kaisiepo, Markus 59–60, 162
Kanaks 176–7, 220–1
Karabach 229–31
Karenni National Revolutionary Council (KNRC) 166–7
Karens 63
Kartosuwiryo, Sukarmadji Maridjan 65–6
Kashmir (Kashmiris) 2, 81, 167, 239–40
Katanga 89, 102, 108
Kaunda, Kenneth 86, 110–11
Kellogg, Edmund 130–1
Kelly, José 122–3
Kelly, Prado 137
Kelly, Walter 181–2
Kennedy, John F. 136, 140, 152, 196–7
Kenya 102, 110–11
  Mau Mau 110–11
Kenyatta, Jomo 48, 182
Khruschev, Nikita 99, 177–8
King, Martin Luther Jr. 185
Kiribati 150, 176–7, 243–4
Kirkpatrick, Jeane 177
Kissinger, Henry 144, 170–1
Klamath (nation) 194–5
Koehler, Bernard 124
Kohl, Lelmut 229–30
Kohn, Hans 155
Koht, Halvdan 36
Komer, Robert 162–3
Koo, Wellington 45
Korea 33, 45, 74
Korovin, Evgeny 11
Kosovo 235, 240–1
Kiribati 150, 176–7, 220–1, 243–4
Kubitschek, Juscelino 136
Kuper, Leo 98
Kurdistan (Kurds) 2, 5, 13, 18, 114–15, 167, 235–6, 239–41
Kusumaatmadja, Mochtar 131

Labor
  activists 20–1, 35–6, 48, 61–2, 161–2, 188
  international 8–9, 61
  International Labor Organization's Convention on Indigenous Rights 225–6
Labor parties
  Australian 45–6, 209
  British 106, 126–7, 172–3
  Dutch 60–1
  European 61
  Mexican 122–3
  New Zealand 54
Lajiar, Kemal 172–3
Lakota (nation) 193
Lansing, Robert 10
Latinos 188–9, 191
Latvia (Latvian) 11, 37–8, 227–8, 232
League Against Imperialism 13, 23
League of Nations
  Mandate Commission 4–5, 12–13, 53–4, 239–40
  Mandate System 54–5
  Minority Protection regime 22, 31, 35
  and Namibia 20
  and Palestine 41, 52–3
  and self-determination 5–6, 12, 20, 23–4, 34–5, 42–9, 94–7
  and trusteeship 52–8
League of Women Voters 188
Lebanon (Lebanese) 26–7, 38–9, 70–1, 74–5, 80, 89, 96–7, 236–7
Left, the
  and the Atlantic Charter 36
  El Salvadoran 215
  European 10, 51
  Filipino 117
  French 110–11
  Latin American 136
  Native American 199
  Third World Left 185
  USA 113–14, 188–9
legitimacy (legitimate)
  and the Atlantic Charter 10
  and decolonization 15–16, 83–4, 86–90, 92–3, 99–100, 245
  deligitimization of national self-determination 5, 51–2
  and economic self-determination 128–9, 134–6, 140, 147
  and minority protection 15, 40–1, 67
  and Native Americans 201, 204
  and self-determination 79, 215
  and small territories 157–8, 161–2, 164–8, 170–1, 173–5, 177
  and South Africa 222–3

and the Soviet Union 219–20, 228–35
of Ukrainian annexation 240–1
and violence 1, 17–36, 102–15
Leimena, Johannes 67–8
Leith, Charles Kenneth 122–3
Lenin, Vladimir 9–11, 13, 60–1, 73–4, 122, 245
Leninism 9–10, 13, 36, 231–2, 240–1
Lévesque, René 210
Levy, Walter 127
Lewis, Norman 207–8
LGBTQ+
activists 18–19, 178–9, 181, 188–90
Gay Liberation Front (GLF) 188–9
Stonewall Riots 188–9
Liang, Yeun-li 46
Libertarians 236–7
Libya 87–8
Lie, Trygve 75–8
Liechtenstein 236–7, 239–40, 244
Lippman, Walter 31
Lithuania 11, 37–8, 227–8, 230
Lo, Chung-Shu 71–2
Loewenstein, Karl 35
Logan, Rayford 28–9
Lutherans 187
Luthuli, Albert 100
Luxembourg 26–7, 36
Luxemburg, Rosa 9–10
Lwoki, Benjamin 91–2
Lyttle, Clifford 199–201

MacDonald, Peter 203
Macedonia 231–2
Maghreb 39
Maisky, Ivan 26–7
Malaka, Tan 60–1
Malan, D.F. 95–6
Malaya 48, 80–1
Malcolm X 185
Maldives, the 155, 242–4
Malik, Adam 115
Malik, Charles 70–1, 96–7
Malta 148
Mandela, Nelson 100, 238
Manley, Michael 18–19
Manning, Charles 99–100
Manthey, Marlene 149–50
Manuel, George 209–11
Maori peoples 204–5, 209–10
Martinique (Martinican) 86, 150
Marxism (Marxists)
and Indigeneity 204–5
Marxist People's Democratic Party of Afghanistan (PDPA) 218–19
and self-determination 8–10, 18, 73–4
Masaryk, Jan 129
Masson, Rudecindo Ortega 133–4
Mauritiana 168–75
Mauritius 159–60
Maw, Ba 28
Mazzini, Giuseppe 9
Mboya, Tom 110–11
McClaughry, John 180
McHenry, Donald 230
McMillan, John 188
McNickle, D'Arcy 194, 196
Mead, Margaret 207
Mehta, Hansa 70–1
Melanesia (Melanesian) 59–60, 68, 154–5, 162, 165, 209
Menominee (nation) 194–5
Menon, Krishna 79
Metha, Asoka 32–3
Métis (nation) 196–7
Mexico (Mexican)
and economic self-determination 122–5, 128–31, 135–6, 143, 237–8
First National Congress of Indigenous Peoples 205–6
Indigenous peoples of Chiapas 194, 232–3, 241–2
and gender activism 189–90, 226–7
Open Door for Oil 122–3
and self-determination 45, 47, 180, 184, 199, 204–6, 224–7
Zapatista movement 232–3, 241–2
Micronesia (Federated States of Micronesia) 45, 59–60, 154–7, 161–2, 176–7, 194, 220–1
Middle East, the
and the Atlantic Charter 23, 25–6
and decolonization 15–16, 21–2, 176–7
and economic self-determination 125–6, 128–9, 140
and Indonesia 61
Middle East Research and Information Project 172
and self-determination 12, 115, 170, 234–5
Ming, Ho Chi (Nguyễn Ái Quốc) 50–1
minorities (minority)
ethnic 5–6, 11, 16, 24, 60, 62–3, 79–80, 101–2, 105–7, 153–4, 166–7, 218–19, 226–7, 232–3
Indigenous 5–6, 62–3, 193–6, 206, 239

minorities (minority) (*Continued*)
International Human Rights Association of American Minorities 239
League of Nations Minority Protection 31
linguistic 5–6, 63, 74, 239
Minority Rights Group International 206–7
and nationalism 31, 85–6
protections 11, 15, 22, 35, 51
racial 5–7, 18–19, 96, 146–7, 178–9
regional 5–6, 16, 60, 62, 64–5, 153–4, 167, 239
religious 5–6, 13–16, 41, 45–6, 60–3, 66, 79–80, 96, 153–4, 166–7, 187, 226–7, 239
rights 11, 13–17, 31–2, 63–4, 66, 73–5, 86–7, 93, 122, 146, 236–7
and secession 76–7, 80–1, 84, 158–9, 163, 165–6, 232–3
sexual 188–9
UN Sub-Commission on Prevention of Discrimination and Protection of Minorities 145–6, 211–13, 221–2, 224–5
white minority rule 17, 30, 87–8, 93–100, 113–14, 148, 158–9
Miskitos (name) 217–18
Misurasata (Miskito, Sumo, Rama, and Sandinista Unity) 217–18
Mojsov, Lazar 229
Moldova 230–1
Pridnestrovian Moldavian Republic' (PMR)
Moluccas 62, 66–70, 167, 239–40
Mongolia 114–15
Monlane, Eduardo 185
Montenegro 231–2
Montserrat 159
Moore, Richard 20–1
Morocco (Moroccan) 38–9, 76–7, 83–4, 159–60, 168–75, 220, 242
Moskowitz, Moses 81–2
Mossadegh, Mohammed 126–8
Movement for Colonial Freedom (MCF) 82–3, 85–6, 111, 113–14, 156, 172–5, 206
Moynihan, Daniel Patrick 177
Mozambique 111–13, 149, 185
FRELIMO 112–13, 185
Murphy, Robert 38–9
Murray, George 113–14, 185
Murray, James 196

Naciri, Mekki 38–9
Nagaland (Nagas) 2, 79–81, 206–7, 217–18
Nagalite 167
Naguib, Mohamed 91
Namibia 1–5, 111–13, 185, 222–4, 244
National Baptist Convention 81–2
National Council of Churches 186–7
National Council of Women 28–9
National Indian Brotherhood 209–10
National Organization for Women (NOW) 189
National Socialist Party (Nazism *or* Nazis) 5, 8, 20, 22–8, 30–3, 38–9, 51–2, 124
Native Americans
Alaska Native Claims Settlement Act 198
American Association for Indian Affairs (AAIA) 194
American Indian Fund 194
American Indian Law Center 201–2
Committee on Indian Community Action 197
Association for the Protection of Native Races 72
Association on American Indian Affairs (AAIA) 196
Council of Energy Resource Tribes (CERT) 203
Indian Chicago Conference 196–7
Indian Great Society 198
Indian Mineral Leasing Act 195–6
Indian New Deal 193, 195
Indian Reorganization Act (IRA) 193–4
Indian Resources Development Bill 198
Indian Self-Determination Act 199–201
Indian Self-Determination and Education Assistance Act (ISDEAA) 199–202
Institute for the Development of Indian Law 201–2
National Congress of American Indians (NCAI) 194, 196–9, 209–10, 213
National Indian Management Service 201
National Indian Youth Council 197
Native American Natural Resources Development Federation 203
Native American Rights Fund 201–3
and natural resources 28–9
Oklahoma for Indian Opportunity 197–8
Point Four Program for American Indians 194–5
reservations 7–8, 194–201, 203
and self-determination 180, 190–203, 212
and termination 195–7, 199, 201–2, 205–6
Trail of Self-Determination 201–2
and transnational movements 146, 178–9, 181, 204–14
treaty rights 194–7, 201–2, 205–6
War on Indian Poverty 197

Workshop on American Indian Affairs 196
See also American Indian Movement (AIM); *individual nations and tribes by name*
natural resources
Council of Energy Resource Tribes (CERT) 203
and economic self-determination 6–7, 17–18, 74–5, 119–30, 132–5, 141, 143–4, 173–5, 201–3
extractive 4–7, 119–21, 124–5, 131–3, 135, 141–3, 149–50, 157, 177, 195–6, 198, 203, 205–8, 213, 235–6
gold 150
mining 6–7, 55–6, 168, 176–7, 195–6, 203–4, 207–8, 217
nickel 34, 150, 157
permanent sovereignty over natural resources (PSNR) 121, 132–4, 137–43
petroleum 101–2, 106, 121–8, 134–5, 140–1, 145–6, 150, 167, 195–6, 241–2
phosphates 55–6, 150, 156–7, 168–71
resource globalism 125–6
and self-determination 28–9, 34, 86–7, 101–2, 168, 173–5, 201–3, 205–6, 211–13, 241–2
uranium 195–6, 203
Nauru 34–5, 150, 156–7, 159, 176–7
Navajo (nation) 195–6, 203
Nehru, Jawaharlal 14–15, 40, 81
Nelson, Gaylord 180
neoliberalism 18–19, 237–8
Netherlands East Indies 16, 48, 50, 62, 67–9, 162
Royal Netherlands East Indies Army (KNIL) 66–7
Netherlands, the (Dutch) 20, 26–7, 34, 59–69, 78–9, 118–19, 131, 134–5, 152, 162–4, 173–5
Center for Indigenous Peoples 206–7
Dutch Reformed Church 97–8
Netherlands Indies 118–19
New Caledonia 150–1, 157, 160, 176–7, 220–1, 240–1
New Guinea 56, 58, 150
New Guinea Council 59–60, 162–3
New Hebrides 160, 220–1
New International Economic Order (NIEO) 116, 144–7, 149–50
New Zealand 12–14, 34, 44–5, 52–60, 75, 78, 152–5, 160–1, 201–5, 209–10, 225
Newall, Cyral 54
Nicaragua 204, 215–18
Sandinistas 204, 215–18
Niger 114–15
Nigeria (Nigerian)
anticolonial leaders and 86–7
and Black internationalists 61–2
civil war 17, 100–10, 206–7
and decolonization 91
Federal Military Government (FMG) 100–1, 105–9
and self-determination 17, 80–1, 148
and socialism 220
and violence 114–15
Nikijuluw, Karel 68
Nisot, Joseph 75
Niue 176–7, 244
Nixon, Richard 104–7, 114, 180, 186–8, 198–9
Nkrumah, Kwame 29–30, 42, 83, 85–7, 107, 110–11, 141, 182
Non-Aligned Movements 111–13, 115, 144–6, 158–9, 171–2, 201, 217–20, 222–4, 235–6
nongovernmental organizations (NGOs) 7–8, 45, 71, 81–2, 156, 165–6, 173–5, 206–7, 209–11, 222–6
non-self-governing territories (NGST) 58, 70, 75–7, 80–3, 115, 120, 125–6, 142–3, 151–2, 157–8, 163, 235–6, 243–4
Northern Marianas 153
Norway (Norwegian) 26–7, 36, 90–1, 193
Sami 207, 209–10
Nuclear Free Pacific 161–2
nuclear weapons 55–6, 111, 149–50, 152–3, 155, 160–1, 172–3, 220–1
Numerir, Jafaar 173–5
Nuri, Celal 13
Nyein, U Kyaw 148
Nyerere, Julius 86–7, 104, 111–13, 141, 146, 182, 209–10

O'Dwyer, William 52–3
Ocean Island 55–6
Oceana 59–60, 185, 209, 213–14
Ogaden (movement) 167
Ogoni 235–6
Ohure, Saturnino 92–3
Ojukwu, Chukwuemeka Odumegwu 100–1, 105–6
One World Association 45, 61–2
Orbán, Victor 240–1
Organization for Afro-American Unity (OAAU) 185
Organization for Security and Cooperation in Europe (OSCE) 177–8, 230–1
Organization of African Unity (OAU) 92–3, 102–3, 105, 112–13, 171–5, 227–8

Organization of American States 137
Organization of Solidarity with the People of Asia, Africa, and Latin America (Tricontinental movement) 110–14, 165–6, 172, 177, 185, 219–20
Osmeña, Sergio 56–7
Ottoman Empire (Ottomans) 11–13, 65–6, 96–7

Pacific Islands Climate Action Network 244
Pacific Students Fighting Climate Change 244
Padmore, George 20–1, 36, 48
paganism (pagan) 89–92
Pakistan (Pakistani) 14–15, 40, 64–6, 74–5, 80, 83–4, 104, 109, 218–20
  East Pakistan 104, 109
Palestine (Palestinian)
  Arabs 74
  gender activists support for 190–1
  immigration to 41
  Jewish Agency for Palestine 64
  Mandate Palestine 41, 52–3
  and minority rights 64
  PAIGC 112–14, 185
  PFLP 112
    PLO 112–14, 224–5
  Popular Front for the Liberation of Palestine and Fedayeen 113–14
  and radicalization 89
  and self-determination 5, 30, 73–4, 222–3, 236–7, 239–40, 242
  and terrorism 114–15
  transnational support for 115
Pan-Africanism (Pan-African)
  and African decolonization 85, 87–8, 92–3
  International African Service Bureau 20–1, 23, 48
  Manchester Pan-African Congress 36
  Pan-African Congress 94–6
  Pan-African Federation 45–6, 48
  and the United States 29
  See also African National Congress (ANC); Organization of African Unity (OAU); Organization for Afro-American Unity (OAAU)
  Panama 133–4, 143–4
Papua New Guinea 34–5, 56, 149, 154–5, 176–7, 204
Papua
  and natural resources 150–2
  Organisasi Papua Merdeka (OPM *or* Free Papua Movement) 163–4, 167
  Papuanization 152, 162
  and racial identity 209
  and self-determination 162–7
  See also Papa New Guinea; West Papua
Paraguay 207
Pasha, Moncref Bey 38–9
Pasundan Peoples Party 62–3
Pazhwak, Abdul Rahman 74
Perkins, Jorge Walter 137
Pernot, Georges 78
Persia (Persians) 13
Peru (Peruvians) 129–30, 137, 145, 204, 207, 224–5
Phelps Foundation 29–30
Phelps-Stokes Foundations 28–9
Philippines, the (Filipina/o)
  Bell Trade Act 117
  Central Bank 118
  and economic self-determination 117–20
  and independence 56–7, 60
  People's Army Against the Japanese 28
  Philippine-American Anti-Parity Committee 117–18
  Philippines Trade Act 117
  and self-determination 32, 47, 70–1, 74–5, 208–9
Piñero, Jesús 27–8
Pitcairn Islands 159
plesbiscites 10, 12, 24, 27–8, 44, 64–6, 69, 76–7, 80–1, 91–2, 164–5, 176, 220–1
Plischke, Elmer 155, 177
Poland (Polish) 23–4, 36–8, 124, 128
  Polish United Workers' Party 177–8
Polynesia 151, 160
  French 53–4, 150–3, 176–7, 220–1
Pompidou, George 104
Portugal (Portuguese) 56–7, 87–9, 112–15, 148–9, 151, 167, 173–7, 182, 185
Portuguese Timor 149–51, 167, 175–7
Potawatomi (nation) 194–5
poverty 34–5, 118–20, 148–9, 180, 184, 190–1, 195–8, 203
Powers, Mabel 193
Poznanski, Czeslaw 36
Prebisch, Raul 119–20
Pretoria 54–5, 98, 100, 222–4
Price, Willard 43
primitivism (primitive) 6–8, 18, 34–5, 41, 56, 70, 72, 89–91, 148–50, 154–5, 159–60, 162–5, 168, 170, 205
  Primitive Peoples Funds 207–8
property rights 83, 116, 120–3, 126–8, 130–5, 140, 142
Provisional World Council of Dominated Nations 45, 61–2

Pueblo (nation) 193, 215–17
Puerto Rico (Puerto Ricans) 21, 27–8, 44–5, 61–2, 76, 180, 184–5, 191, 201, 240–1
Pulau 176–7
Puntambekar, S.V. 35–6
Putin, Vladimir 241–2

Qatar 156–7
Quebec 146–7, 167, 210–11, 232–3, 240–1
  Parti Québécois 210

race (racial)
  Association for the Protection of Native Races 72
  Congress of Racial Equality 180
  and decolonization 151
  minorities 5–7, 11, 18–19, 96, 146–7, 178–9
  multiracialism (nations) 93–100, 223–4
  and national identity 17, 31–2, 91–3, 95–7, 162–3, 166–7, 181–2
  and Nazis 23
  pan-racialism 13–31
  racism 34–5, 43, 56, 88, 97–9, 111–12, 114–15, 145, 185, 187–8, 204–5, 208, 211, 220–4
  and self-determination 10–11, 28, 30–5, 43–6, 69, 158, 178–9, 188–91
  South African Institute of Race Relations 100
  and trusteeship 56, 64, 68
  UN committees on 239–40
  United Methodist Commission on Religion and Race 187
Radio Free Europe 235
Rama (nation) 217–18
Ramphal, Shridath 234–5
Ransieri, Flavia 243–4
Reagan, Ronald 217–18, 227
regionalism 32–3, 35–6, 66, 103
religion (religious)
  displacement of 79–80
  freedom of 72
  Interreligious Foundation for Community Organization (IFCO) 186–7
  pan-religious 13, 85
  religious minority rights 5–6, 13–16, 41, 45–6, 60–3, 66, 79–80, 96, 153–4, 166–7, 187, 226–7, 239
  and self-determination 2–6, 9, 11, 14–17, 40–1, 51, 60–8, 86–8, 90–3, 97, 102, 113–14, 137, 166–7, 181–2, 188–9, 208, 213, 215, 218–19, 224–7, 245
  See *individual religions, denominations, and organizations by name*
Republik Maluku Selatan (Republic of South Maluku, or RMS) 67–9
Republik of Africa 188
Reves, Emery 32
Reyes, Jose 117
Reynders, Thomas 164–5
Rhodesia (Rhodesian) 17, 80–1, 88, 93, 99–100, 112–13, 145, 152
  Southern Rhodesia 88, 112–13
  ZAPU and ZANU 112
Rizzini, Carlos 137
Robeson, Paul 42
Rockefeller, Michael 164
Rogers, Harold 223–4
Rogers, William 106–7, 161–2
Rokotuivuna, Amelia 160–1
Roma 239–40
Roman Catholicism (Catholic)
  American coalitions of 187
  archbishops 136–7, 215
  bishops 186–7, 209, 215–17
  Franciscan 79
  Indigenist Missionary Council 208–9
  and Indigenous peoples 208–9
  and Ireland 241–2
  liberation theology 185, 208–9, 215–17
  National Catholic Welfare Conference (NCWC) 37–8, 71
  National Conference of Brazilian Bishops 209
  National Catholic Welfare Council 45
  pope 215–17
  US Catholic Bishops Conference 186–7
Romer, Carlos Humberto 215
Romero, Oscar 215
Romulo, Carlos 70–1
Roosevelt, Eleanor 79
Roosevelt, Franklin D. 8, 15–16, 21, 24–8, 37–45, 124–5
Rostow, Walt 162–3
Roxas, Manel 117–18
Rumania 124
Rushdie, Salman 2
Rusk, Dean 140, 154–5
Russia (Russia) 10–11, 219–20, 230–2, 240–1
  Crimea 2, 240–1
Rwanda 58, 232–3
  Hutu and Tutsi 232–3
  Rwanda-Burundi 58

Saffet, Reşit 13
Sahrawi 168–72
  Sahrawi Arab Democratic Republic (SADR) 171–2

Samoa
Fatua 58
and the League of Nations 53–60
League of Samoa (Mau) 53–4
Legislative Council 58
and self-determination 7–25, 54, 75, 149, 176–7, 204–5
and trusteeship 60
See also American Samoa; Western Samoa
San Francisco Committee for a Free Indonesia 61
San Francisco Conference 45–8, 50–1, 59, 70–1, 205, 227
San, Aung 63
Santa Cruz, Hernan 70–1, 128–30
Sanz, Fernando Ortiz 164–5
São Tomé and Príncipe 149
Saro-Wiwa, Ken 235–6
Saudi Arabia 47, 61, 72–5, 102, 128–9, 133–4, 171–2, 185
Sayed, El-Ouali Mustapha 168–9
Scandinavia 205–6, 224–5
Schachter, Oscar 134
Schwarzenberger, Georg 140
Schwebel, Stephen 156–7
Scotland (Scottish) 2, 239–41
secession (secede)
and Biafra 7, 17, 89, 100–11
and Ghana 85
and Indonesia 66–8
Lenin and 9–10
and Quebec 210–11
and self-determination 2–4, 7–8, 11, 46, 75–7, 84, 86, 235–6
and small states 161–2, 165–7, 173–5
and South Africa 96
and Sudan 91–3, 173–5
and the USSR 11, 52, 221–2, 230–3
and violence 110–15
security
and the Atlantic Charter 28–9
and military bases 42–3
Organization for Security and Cooperation in Europe 177–8, 230–1
regional 57
and self-determination 40–1
and small states 148–9
and trust territories 45
and the UN 54–5
and the UN Security Council 47–8, 57, 62–3, 77–8, 90, 171, 220
and the US 143–4
US 124–5, 163
and World War II
self-determination
Anshen on 31
Black self-determination 93–4, 97–100, 180, 184–9, 208
contested history of 8–19
as counterrevolutionary discourse 7–8
and discourse of boundary setting 162
First International Conference on the Right to Self-Determination and the United Nations 239
gendering of 226–7
internal 7–8, 11–12, 29–30, 35, 68–9, 73–4, 79, 93, 127, 194
never fixed 3–4
penentuan nasib sendiri 60–1
Project on Self-Determination 234–5
Self-Determination Commission 239–40
Self-Determination Committee of California 184
Selfistans 2
socialist self-determination 177–8, 220, 227–9
trap of 86, 195
Sen, Sun Yat 60–1
Senegal 86
Senghor, Léopold 86
Serbia (Serbs) 231–2
Seychelles, the 149, 153
French Seychelles 153
Shan 63, 166–7
Shann Keith 78
Shephard, George 81–2
Shizuo, Nonami 32–3
Sierra Club 203
Sierra Leone 148
Sikhism (Sikh) 13–15
Singapore 42, 61, 107
Sioux (Standing Rock) (nation) 201–2
Sjahrir, Sutan 60–2
Sjarifuddin, Amie 62–3
Skeet, Wilson 195–6
Slim, Mongi 167
Slovenia 231–2
small states
crises of 151–8
microstates 156, 220–1
as never lands 150–1
and self-determination 11, 31–6, 44–5, 47, 89, 104–5, 107, 124, 148–50, 170, 175–6, 194–5, 206, 236–7, 240–1
Small Island Developing States (SIDS) 242–4
viability of 12, 154–8, 220–1, 236–7, 240–1
Smallface-Marule, Marie 209–10
Smith, John Hall 184

Smith, Teresa K. 172–3
Smuts, Jan 12, 30, 54–5, 94–7
Social Democrats 8–10
socialism (socialist)
  African 84, 209–10
  and anti-colonialism 36, 52, 64, 73–4, 111–12
  and armed revolt 111–15
  Burma Socialist Programme Party 166–7
  and economic sovereignty 122, 128, 133–4, 137, 143–4, 146–7
  and international law 177–8
  and Native Americans 201, 206
  and natural resources 169
  self-determination 11–13, 177–8, 220, 227–30, 240–1
  and small states 148–9
  Socialist Declaration of Human Rights 228–9
  Socialist International (SI) 31, 64, 148–9, 173–5, 217, 235–6
  Socialist National Liberation Front (New Caledonia) 220–1
  Socialist Worker 199
  and the Soviet Union 219–20, 227–9
  and the UN 158, 165–6, 177
  See also Indian Socialist Party; National Socialist Party (Nazism *or* Nazis)
solidarity
  and labor 45–6
  and self-determination struggles 1–2
  and transnational self-determination movements 4–5, 9, 16, 28–9, 48–9, 51–3, 60–2, 84, 104–6, 110–11, 126, 144–6, 150–1, 167, 172–5, 181–2, 189–92, 206, 213–14, 216–25, 227–8, 245
  Tricontinental 165–6
Solomon Islands 159, 176–7
Solomon, Patrick 114
Somaliland 148
Somoza, Anastasio 217
South Africa
  Communist Party 93–4, 99
  Conference in Solidarity with the Liberation Struggles of the People of South Africa 223–4
  Congress of Democrats 96
  Dutch Reformed Church of South Africa 97–8
  guerilla movements against 112–14
  independent 87
  and the League of Nations 12, 30
  and minority rule 88
  National Party 95, 98, 237–8
  and the NAACPS 182
  and natural resources 145
  and One World movements 61–2
  post-apartheid 237–8
  and religion 208
  and self-determination movements 1, 17, 25, 47, 71, 93–100, 104, 161–2, 181–2
  Sharpesville Massacre 100
  South African Institute of Race Relations 100
  and transnational movements 185, 219–24
  Transkei Regional Authority and Legislative Assembly 99–100
  and trusteeship 54–5
  and women 189–90
  See also Afrikaners; apartheid; Pretoria; Rhodesia
South Ossetia 60
South Seas Conference (1947) 56
South Sudan 90, 92–3, 167, 240–1
  Northern Sudan 90, 92
  South Sudan Liberation Movement 92–3, 109, 173–5
Southwest African Peoples' Organization (SWAPO) 1, 114, 224–5
Spain (Spanish) 12, 157–8, 167–75, 232–3
  Basque 12, 232–3
  Catalonia 2, 12, 167, 232–3, 240–1
Spanish Sahara:
  MLS 150, 168–72
  Saharan Liberation Movement (MLS) 168–9
Sri Lanka 52–3, 233–4
St. Helena 159
St. Kitts 35–6
St. Lucia 220–1, 244
St. Vincent 220–1
Stalin, Josef 9–11, 37–8, 45–6, 60–1, 182
Stassen, Harold 47–8
statelessness (stateless) 79–80, 100, 152, 167, 235–6
Stavropoulos, C.A. 163
Stettinus, Edward 44
Stockholm Commission on Global Governance 234–5
Struggle Newspaper Collective 185
Strydom, J.G. 97
students 18–19, 48, 61, 100–1, 160–1, 176, 178–9, 181, 184, 189–91, 227–8
  Pacific Students Fighting Climate Change 244
  West African Students Union 28
Subject People's Conference 48

Sudan (Sudanese)
Advisory Council for the Northern Sudan 90
civil war 17, 88–93, 109, 116
decolonization of 17–35, 87–93
Graduates' General Congress 28, 90
Liberal Party 91–2
National Unionist Party 91–2
and natural resources 156
Revolutionary Command Council 91
and self-determination 28, 84, 86–7
Sudan African National Union (SANU) 92–3
Sudan Movement for National Liberation 91
Umma Party 91–2
See also South Sudan
Sudetenland 23–4
Sudjarwo, Tjondronegoro 162, 164–5
Sukarno 50–2, 64–8, 135–6, 162–4
Sulzberger, C.L. 108
Sumatra 62, 64–6, 241–2
Sumo (nation) 217–18
Suriname 149
Survival International 206–9, 225
Sutowo, Ibnu 141
Swaziland 148
Sweden (Swedish) 104–5, 234–5
Switzerland (Swiss) 104–6, 114–15
Syria 12, 26–7, 38–9, 74–5, 134–5

Taiwan 107
Tanganyika 55–6, 58
Tanzania 86, 104, 111–15, 146, 182, 209–10
Tatarstan 235
taxes 118–20, 146–7, 177, 180
sol taxes 196–7
Taylor, Myron 41
terrorism 110–16, 165, 178–9, 227, 232–3, 235–6
Thailand 51
Thant, U 156–7, 164–5
The Hague (country) 22–3, 53, 152, 162, 235–6
Third World
and decolonization 173–5, 197
economic nationalism 132
elites 142–3
and gender activism 188–9
internationalism 84
international law 135–6, 165–6, 201–2
radicalism 18–19, 110–13, 135–6, 178–9, 181
and self-determination 143–4
and small states 107, 149–50
Third Worldism 149–50, 165–6, 201, 207
Third World First 172–3
Third World Left 185
Third World Liberation Front 190–1
Third World Women's Alliance 189–90
Thomas, Ivor 56
Thomas, Norman 136–7
Thomas, Robert K. 196
Tibet (Tibetan) 235–6
Tjondronegoro, Sudjarwo 164–5
Togo
British 58, 75
French 58, 75, 87
German 85
Togoland (French) 17
Tombalye, Francois 108
Tonga 58, 154–5, 176–7
Torres, Abdelkhaleq 38–9
Trinidad and Tobago 114, 159–60, 182
Truman, Harry S. 16, 41, 51, 56–7, 75–6, 79, 94–5, 117–18
Tshombe, Moise 89, 102
Tunisia (Tunisian) 38–9, 76–7, 83–4, 167–70
Tunkin, Grigory 11
Turkey (Turk) 13, 31–2, 167
Turks and Caicos 159
Tuvalu 176–7, 220–1, 243–4
Two Shoes, Minnie 189–90
Tydings, Millard 27–8

Ukraine 62–3, 114–15, 230–2, 240–1
Eastern 2
Umozurike, Oji 141
UNICEF 225
Union of Soviet Socialist Republics (USSR *or* Soviet Union)
anti-Soviet groups 51
and the Atlantic Charter 26–7, 37–8
Bolsheviks 5, 9–10
and cultural autonomy 11
and decolonization 99–102, 104, 106, 112–15, 158–9, 161–2, 188
and economic self-determination 122, 124, 136–40
fall of 5, 149
and Indigeneity 204–5
and Non-Aligned movements 219–20, 222–3
and the Pacific 55–7
Russian Soviet Federative Socialist Republic 232
and self-determination 11–12, 19, 26–7, 46–7, 51–2, 72–5, 79–81, 161–2, 171–2, 177–9, 215–22, 227–35, 239–41

Sino-Soviet colonialism 136–7
and small states 33
Tribunal Against the Soviet Union (mock) 228–9
and the UHDR 70–4
and the UN 42–5
and World War II 24–5
unions (trade and activist)
Community Progressive Negro Painters Union 52–3
Congress of the World Federation of Trade Unions 61
and decolonization 45–6, 61, 111, 182, 223–4
Dodge Revolutionary Union Movement 188
and El Salvador 215
European Union 230, 236–7, 240–1
International Confederation of Free Trade Unions (ICFTU) 82–3, 128–9
Karen National Union 63
National Unionist Party (NUP) 91–2
Sudan African National Union (SANU) 92–3
West African Students Union 28
World Federation of Trade Unions 28–9, 61
World Trade Organization 146–7
World Trade Union 44
United Fruit Company 128–9
United Methodist Church 187
United Nations (UN)
1966 Covenants 1, 103, 140–1, 157–9, 161–2, 207–8, 211, 228–9
Act of Free Choice (AFC) 163–5
Center Against Apartheid 222–3
charter 51–2, 54–6, 67–73, 77–81, 84, 90, 94–6, 134–5, 156–7, 205
Climate Change Conference 242–3
Commission on Human Rights (CHR) 16, 52, 70, 77–8, 87, 106, 126–9, 132–3, 153–4, 173–5, 211, 226
Commission on Permanent Sovereignty 126–7, 134, 142–3
Committee of 24 76, 151
Committee on Decolonization 4–5, 154–5
Committee on Factors 75–6, 153–4, 234–5
Committee on Information from Non-Self-Governing Territories 75–6
Committee on the Elimination of Racial Discrimination 239–40
Conference on Trade and Development (UNCTAD) 140–2, 157
consultative status 71, 207
Covenant on Economic, Cultural, and Social Rights 226
Declaration Against Colonialism 228–9
Declaration of the Principles of International Law 161–2, 215–17
Declaration on Aboriginal Title and Indigenous Self-Determination 213
Declaration on Permanent Sovereignty of Natural Resources 158, 235–6
Decolonization Committee 111–13, 133, 158, 160–1, 168–9, 239
Decolonization Resolution 162, 165, 167
Draft Convention on the Protection of Foreign Property 142
Dumbarton Oaks 42–5, 205
Economic and Social Commission for Asia and the Pacific (ECAFE) 118
Economic and Social Committee 46
Economic and Social Council 76–7, 111–12, 125–6, 133–4, 137–8, 145, 209–10, 226
Economic Commission for Latin America 128, 226
First International Conference on the Right to Self-Determination and the United Nations 239
Fourth Committee 52, 57–8, 77–8, 112–13, 115
Framework Convention on Climate Change (UNFCCC) 242–3
Friendly Relations Declaration 158–62, 177–8, 225–6, 236–7, 244
High Commissioner for Human Rights 242–4
High Commissioner for Refugees 225
High Commissioner for Self-Determination 239–40
Human Rights Commission 114–15, 220, 226
Human Rights Council 242–3
Intergovernmental Panel on Climate Change (IPCC) 242–3
International Committee Against Apartheid, Racism, and Colonialism in South Africa 222–3
International Labour Organization 205, 225–6
International Law Committee 134–5, 158
Islamic Conference 220
Legal Committee on Armed Conflicts 111–12
missions 58–9, 134, 152–5, 159–60, 164–5, 169–70, 176
Mission to Micronesia 154–5
observers 81–2, 112–13, 132–3, 171–2
Organization for Economic Co-operation and Development (OECD) 142

United Nations (UN) (*Continued*)
Permanent Forum on Indigenous Peoples 242–3
Petroleum Commission 125–6
Principles of Peaceful Co-Existence 158
Program of Action on Decolonization 114
Resolution 1803 128, 137–42
Resolution 2131 135–6
Resolution 2158 115
Secretariat 58–9, 70–1, 134
Security Council 47–8, 57, 62–3, 77–8, 90, 143–4, 171, 220
Special Committee on Principles of International Law Concerning Friendly Relations and Cooperation Among States 112–13
special rapporteur 115, 144–6, 221–6
strategic trust territories 5–6, 45–8, 155
Sub-Commission on Prevention and Discrimination and Protection of Minorities 145–6, 211–13, 221–2, 224–5, 239–40
Sub-Commission on the Promotion of Human Rights 239–40
Terrorism Committee 111–12
Working Group on Indigenous Populations (WGIP) 213, 217–18, 225–7
Third Committee 71, 74–8, 81–3, 115, 129–30
UNESCO 71–3, 224–6, 239–40
United Nations General Assembly (UNGA)
and Afghanistan 219–20
Declaration on International Law 149
Declaration on the Right to Development 226
and decolonization 5, 16, 151, 162, 165–6
and economic self-development 126–31, 133–42, 144–5
ECOSOC Committee 128–9, 133
and Eritrea 90–1
General Assembly Resolution 1514 151
and Indigenous sovereignty 213, 235–6
Legal Committee 114–15
and military bases 47–8
and Nigeria 103
Second Committee 137–8
and self-determination 4–5, 52, 75–9, 81–3, 87, 221–3, 226
and small states 152–3, 155–60, 168–9, 171–2, 175
and South Africa 94–5, 100
and trusteeship 54–6, 59, 69–70
and the UHDR 71–5
and violence 102, 112–15
United Presbyterian Church 196–7
United States (US)
Air Force 55–6
Bureau of Indian Affairs (BIA) 193–201
Central Intelligence Agency (CIA) 119, 136–40, 145, 168–9
Chamber of Commerce 131–2
Community Self-Determination Act (CSDA) 180, 186
compacts of association 220–1
Congress 56–7, 61–2, 76, 113–14, 180, 186, 188, 193–9
Declaration of Independence 8–9, 28–9
Department of Defense 227
Department of the Interior 45, 56–7, 76, 195–201, 203, 208–9
House of Representatives 27–8, 188
Justice Department 198
Marines 54, 177
military bases 18, 22–3, 42–9, 51–2, 55–9, 114, 150–3, 155, 159–60, 220–1
Navy 55–7, 59, 76, 159–60
Office of Economic Opportunity 186, 197–8
State Department 10, 25, 27, 34, 37, 39, 43–4, 55–7, 70, 75–6, 94–5, 106–7, 124–5, 131–2, 140, 154–7, 161–2, 170
Universal Declaration of Human Rights 11, 15–16, 21–2, 52, 59, 64, 70–3, 76–7, 126, 141, 228–9
Universal Declaration of the Rights of Indigenous Peoples 225–6
Universal Declaration of the Rights of Peoples 165–6
Unrepresented Nations and Peoples Organization (UNPO) 235–6, 239–40, 244
Uruguay 128–9, 137
US Marshall Islands, the 53–6, 76, 152–3, 160, 176–7, 191, 220–1

Van Mook, Hubertus 62–3
van Wyk Louw, N.P. 98
Vandenburg, Arthur 45–6
Vanuatu 176–7, 220–1, 243–4
Vatican City 41
Venezuela 207
Vietnam (Vietnamese) 50–1, 171–2, 184–5, 188–9, 219–20, 233–4
North Vietnam 188–9
Vinci, Piero 155
Virgin Islands, the 159
British 161–2
US Virgin Islands 240–1

Voelcker, F.W. 58
Voerward, Hendrik 99–100
Vogt, Evon 194
von Hoffman, Nicholas 188
Von Ribbentrop, Joachim 124

Waldheim, Kurt 115, 157–8, 171–2
Waldman, Morris 31–2
Wallis 151, 220–1
Walters, Vernon 217–18
Warsaw Pact 228–9
Washington, DC (District of Columbia), and self-determination 188, 240–1
Waterston, Albert 146
Welles, Sumner 25, 27, 37, 39, 41
Wells, H.G. 35–6
West Africa 29–33, 48, 85–6
  French West Africa 35–6, 149
  West African Students Union 28
West Indies (West Indian)
  and Black internationalism 182
  and federations 103
  National Council 45
  and self-determination 21, 35–6, 44, 148
  West Indian Federation 27–8, 48
  West Indies National Emergency Committee (WINEC) 20–1, 61–2
West Irian (Dutch West New Guinea) 150, 163–5, 170–1
West Papua 7–8, 18, 62, 150–1, 165–6, 209, 217–18, 235–6
Western Sahara 5, 7–8, 18, 150–1, 168–75, 222–3, 235–6, 242, 244
Western Samoa 34–5, 52–60, 75, 79, 152–3, 155
white (whiteness)
  African Americans and 182
  oligarchies 177
  and religion 97, 186–8
  settler states 152
  white minority rule 17, 30, 87–8, 93–100, 113–14, 148, 158–9
  white supremacy 96
  See also Afrikaners
White, Barbara 149
Wijono, Sujokusumo 148
Willkie, Wendell 35–6
Wilson, Joseph 180
Wilson, Woodrow:
  and ethnicity 13, 17, 23, 41, 96–7
  Fourteen Points 26, 30
  and Gandhi 40–1
  Jinnah's post-Wilsonianism 13–14, 17, 40–1, 73–4, 193
  non-Wilsonian self-determination 30–1
  post-Wilsonian 40–1
  and religion 14
  and self-rule 10–11, 31–2, 39, 60–1, 95–6, 122, 144, 146–7, 234–5, 245
  and Vietnam 50–1
  Woodrow Wilson Foundation 136–7
Win, Ne 166–7
Women's International League for Peace and Freedom 12, 81–2
Woodlawn Organization 184
World Bank 142, 238, 243–4
World Council of Churches 67–8, 97–8, 145, 165–6, 187–8, 208, 213–14
World Council of Indigenous Peoples (WCIP) 209–14, 217–18, 225, 235–6
World War I
  aftermath 8, 22, 33–4, 81, 150, 230, 233–4
  and the League of Nations 22, 24
  and self-determination 5, 8, 10, 26, 31–4, 78, 93–4, 245
  Versailles Conference (Treaty) 10, 23–4, 30–2, 43–4, 124
World War II
  and African and Asia 1–2, 29
  and decolonization 15–16, 26–7, 37–40, 48–9, 83
  Pearl Harbor 24–5
  and Samoa 54
  and self-determination 5, 15–16, 26–31, 60–1, 204–5, 245
  and trusteeship agreements 56–7
  and the United Nations 22–3
  Yalta Conference 26, 45
  See also Atlantic Charter, the
Wright, Quincy 69–70

Yemen 74–5
Yergan, Max 42
Yijie, Gu 226
Yoruba 101–2
Young Liberals 172–3
Young Lords 191–2
Yugoslavia 26–7, 114–15, 124, 158, 229–33

Zain, Zairin 162–3
Zaire 114–15, 188
Zambia 86, 104, 114–15, 209–10
Zulus 237–8

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The notion that self-determination has outlived its usefulness would be news to international legal scholars and historians.[11] More importantly, self-determination claims and movements continue to illuminate enduring dynamics of the contemporary world, especially the tensions between political, economic, and cultural sovereignty within and between states. The era of decolonization was only one phase in self-determination's global history. A wide range of peoples, organizations, and movements continue to frame their goals around this idea, making it a legal and vernacular language of sovereignty and rights to suit their needs.

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